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CORRESPONDENCE

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IN RELATION TO

THE BOUNDARY CONTROVERSY

BETWEEN

GREAT BRITAIN AND VENEZUELA,

BEING A REPRINT OF

Senate Executive Document No. 226, Fiftieth Congress, First Session, and Senate Document
No. 31, Fifty-Fourth Congress, First Session.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1896.

JUN 9 1932

MESSAGE
FROM THE
PRESIDENT OF THE UNITED STATES,

TRANSMITTING,

In response to Senate resolution of April 11, 1888, "letter of the Secretary of State and correspondence relative to a certain boundary dispute between Venezuela and Great Britain."

JULY 26, 1888.—Read and referred to the Committee on Foreign Relations.

AUGUST 1, 1888.—*Resolved*, That there be printed for the use of the Senate the usual number of copies of the message of the President transmitting report of the Secretary of State, with accompanying correspondence, relating to the pending dispute between the Government of Venezuela and the Government of Great Britain concerning the boundaries between British Guiana and Venezuela.

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of 11th April last, a report of the Secretary of State, with accompanying correspondence, relating to the pending dispute between the Government of Venezuela and the Government of Great Britain concerning the boundaries between British Guiana and Venezuela.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, July 26, 1888.

To the PRESIDENT:

The undersigned, Secretary of State, to whom was referred the resolution of the Senate of April 11 last, requesting the President—

To communicate to the Senate, if in his opinion not incompatible with the public interests, any information in his possession relating to a dispute understood to exist between the Government of Venezuela and the Government of Great Britain concerning the boundaries between British Guiana and Venezuela—

has the honor to lay before the President, with a view to its transmission to the Senate, if deemed compatible with the public interests, so much of the correspondence on file in the Department of State as appears to answer the said resolution.

It seems proper in so doing to observe that the boundary dispute is but one, although probably the most important, of the questions pending between Great Britain and Venezuela; and that, in the successive negotiations toward an agreement between them which have been brought to the knowledge of this Government, consideration of the collateral questions touching the discriminating duties imposed by Vene-

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CORRESPONDENCE

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fied places, and generally in any other place possessed by the other party in the West Indies. Such are the stipulations of articles 5 and 6.

The text of article 8 of the treaty of Utrecht is as follows:

"And to the end that the commerce of the West Indies may be more firmly established and more profitable, it has been agreed that neither the Catholic King, nor his heirs or successors, shall cede, hypothecate, transfer, or in any wise alienate from themselves or from the Crown of Spain the regions, domains, or territories of America which of right belong to it, or any part thereof, either to France or to any other nation. And for her part, the Queen of Great Britain, to the end that the regions in America which are subject unto Spain may be preserved in their integrity, promises that she will do all in her power to aid the Spaniards to reestablish the ancient limits of their American possessions, and to fix them as they were in the time of the aforesaid Catholic King Charles II, if it shall be ascertained that they have been in any wise or under any pretext broken or altered in any of their parts since the death of the said King Charles II."

Now, the boundaries of the Dutch possessions in the territory of Guiana in 1648, in which year the treaty of Munster was concluded, are the only ones that can have been transferred by Holland to England, because, subsequently to that year, no cession, sale, or recognition of any kind on the part of Spain extended the Dutch possessions in America. And the boundaries of the Spanish possessions at the time of the death of King Charles II, which occurred in 1700, are the same which Great Britain pledged herself to aid in maintaining in their integrity, and even to assist in recovering in case they had suffered any impairment.

What were these boundaries? This is the point which it is most important to determine in order to throw full light upon the matter and definitely to fix the respective rights of both countries.

The undersigned will not dwell upon the value of the testimony of Herrera, the celebrated chronicler of Spain and the Indies, who wrote his "Decades" in the reign of Philip V, or of Father Murillo Velarde, who wrote in 1752, who, with other writers of that time, both assert Spain's ownership of all Guiana; nor upon that of the treaty concluded in 1750 between Spain and Portugal, in which both nations, binding themselves to aid and support each other until they shall be in peaceful possession of their dominions in South America, the obligation is extended on the part of Portugal from the Amazon to the banks of the Orinoco, on each side; nor upon that of the royal *cédula* issued at Aranjuez, March 5, 1768, which, in referring to the boundaries of Spanish Guiana, says that they extended on the south as far as the Amazon, and on the east to the Atlantic Ocean. The undersigned, actuated by the same disposition that actuates the President of the Republic to place the question on the most favorable ground for Great Britain, within the limits of the rights of Venezuela, and on such as may be most propitious for the friendly arrangement which he desires to reach, provided the evident right of the Republic suffer no detriment, confines himself merely to the authorities and instruments which most restrict our dominion in Guiana, provided they be, to any reasonable extent, deserving of attention.

It is here seen that all such documents and references are at least favorable to the right of Venezuela fix as the most advanced limit of the Dutch possessions the Essequibo River, which separated them from the Spanish dominions in Guiana. Maps published in England, France, and Spain, opinions of geographers and historians, and official acts of the Government of the Peninsula serve as proof of this fact.

The learned La Condamine writes: "Dutch Guiana begins at the Marawine (Marowynne) River and terminates at the Essequibo. As to Spanish Guiana, it is composed of the territory comprised between the Essequibo, where the Dutch colony terminates, and the Orinoco."

J. W. Norie, an English geographer, in his Description of the Coast of Guiana, printed in London in the year 1828, expresses himself as follows:

"British Guiana extends from the Courantie (Corentyn?) River, in a northwesterly direction, as far as the Essequibo." And he adds: "This was the real extent of the colony as settled between the Spaniards and Dutch by the treaty of Münster, in 1648, and has never been altered. The English and Dutch planters, however, having formed settlements to the north of these limits, and having settled on the banks of the Pomaron and beyond Cape Nassau, the boundaries claimed by the English now extend as far as the meridian of Cape Barima, although that, in reality, constitutes what should be called Spanish or Colombian Guiana."

Father Caulin, in his Chorographic History of New Andalusia, book iii, chapter xxxi, corroborates Norie's assertion in the following words: "The Dutch took possession of the Essequibo River, established colonies and founded towns and large plantations, carrying on illicit commerce at the same time, until they were driven away in 1595; they returned, however, and extended their settlements in Spanish territory until they founded New Middleburg, on the Pomaron River."

J. de Alcalá, in his Manual of Geography, printed in London in the year 1837, still

asserts, at that date, referring to British Guiana, that "on the banks of the Essequibo River is the settlement of the same name belonging to England."

José Manuel Restrepo, the Colombian historian, in explaining the atlas which accompanies his history of the revolution in the Republic of Colombia, uses these significant words:

"The boundaries of what is now British Guiana have been drawn according to the possessions which were held by Spain as far as the Essequibo River, and as they are represented on the best maps published in England itself."

The following quotation is deserving of special attention. It is from Reynal's *Philosophical History of the Two Indies*, volume 6, book 12, No. 25, page 282 et seq., of the Paris edition of 1820: "The settlement of Essequibo, situated near the river of the same name, is 20 leagues distant from that of Berbice."

"Here the Dutch first settled, who, like other Europeans, overran Guiana toward the close of the sixteenth century, in the hope of finding gold. It is not known when they settled at Essequibo, although it is certain that they were expelled from it by the Spaniards in 1595. They returned, but were again expelled by the English in 1666. This was an unimportant settlement, and in 1740, after it was retaken, its productions were barely sufficient to form a shipload. Two or three years subsequently some settlers from Essequibo fixed their eyes upon the shores near Demerari, which were found to be very fertile, and this discovery was followed by very favorable consequences."

"Some time afterwards work was suspended in Surinam on account of the bloody and ruinous war which the inhabitants were obliged to carry on against the negroes who had taken refuge in the woods. Berbice was at the same time agitated by an uprising of its slaves. Such was the origin of the three settlements successively made by the Dutch in Guiana."

It is thus seen by the extract from Reynal that in 1648, in which year the treaty of Munster was concluded, the Dutch had already been driven from the Essequibo, and that two years subsequently to 1740—that is to say, forty-two years after the death of King Charles II—some settlers from Essequibo fixed their eyes on the shores near Demerari.

"I do not believe," says Mr. Dauxin Lavaysse, "that there is anywhere in the world a country that is more salubrious, better watered, more fertile, and pleasanter as a residence than that situated on the one hand between the Essequibo, and on the other between the Caroni and the Orinoco."

"This territory, which forms a considerable portion of Spanish Guiana, extends more than 45 leagues from north to south and 70 from east to west, and its extent is one-sixth part of this Guiana."

It was in this country that Spain founded her numerous missions, which, according to the testimony of all historians who have chronicled the labors of the Franciscan Fathers, and according to the boundaries fixed in the royal decrees for the establishment of missions, embraced at Rio Negro an extent of more than 50 leagues, while the Catalan Capuchins occupied the space between the Orinoco and Cape Nassau and between the sea and the Caroni River, extending from the eastern bank of the latter and of the Paragua to the banks of the Imataca, the Cumurú, and the Cuyuni. On the southeast they were bounded by Dutch Guiana, or the *Colony of Essequibo*, the river of that name being the dividing line; on the south by the desert banks of the Paragua and the Paraguari; and crossing the mountain range of Pacaraimo, by the Portuguese settlements on the Branco River.

The resistance which is proved to have been continuously made by the Government of the Spanish Peninsula to the invasions of the Dutch on the west bank of the Essequibo, long after the conclusion of the treaty of Münster, is of decisive force. This is seen in the instruction issued by the intendant of Caracas, Don José de Abalos, February 4, 1779, in which he gave rules for settling in the province of Guiana, so as to define the boundaries of that territory. Article 2 of said instruction reads as follows: "The said Dutch settlement of Essequibo, and the others owned by the States General on those coasts, are nearly all on the banks of rivers, near the sea, and do not extend far into the interior of the country; therefore, in the rear of Essequibo and the other Dutch possessions eastward as far as French Guiana and southward as far as the river Amazon, the country is clear of them, being occupied only by wild Indians and a large number of fugitive slaves who have escaped from the Dutch and also from the plantations of French Guiana. The commissioners will therefore endeavor to occupy said lands, as belonging to Spain, their first discoverer, inasmuch as they have never been ceded and are not now occupied by any other power having any title to them, advancing eastward as far as possible until they reach French Guiana, and also as far southward as the Portuguese possessions."

Article 4 of the instruction is as follows: "It would be very well for the aforesaid occupation and settlement of lands to begin in the rear of the Dutch settlements bordering on French Guiana, and particularly near the rivers to which they have given the names of Oyapok and Aproxack." This portion of the instruction, above

copied, acquired additional force from the fact that it was corroborated by the royal order of April 13, 1779.

Even more explicit, if possible, appears the conviction of the Peninsula Government as regards its ownership of the territory comprised between the Orinoco and the Esequibo, and still more energetic its constant resistance to the invasions attempted by the Dutch in the confidential royal order of October 1, 1780, by which Don José Felipe de Inciarte was authorized to assault a fort which the Dutch had dared to build on the banks of the Moruca (Moroco) River, 2½ miles from Moracabuco to the northeast by east, and of which complaint had been made by the aforesaid Inciarte the year previous. In communicating his instructions the Minister Don José Salves wrote in the royal order as follows:

"If the governor of Esequibo complains of this act the reply must be made that the proceeding is in accordance with the laws and general instructions for the good government of our Indies, which do not permit such intrusions of foreigners in the Spanish dominions; for the same reply will be made here if any complaint is made by the States General of Holland."

Thus far evidence has been furnished conclusive and incontestable not only of the *de jure* but also of the *de facto* possession by Spain as sole sovereign of all the territories comprised between the Orinoco and the Essequibo, and if, as the undersigned has shown above, it was sufficient to know what were the Spanish possessions recognized by Holland (from which country Great Britain derived her rights) as belonging to Spain, the proof has been superabundant, since it has been brought down to a century and a half later.

And, if whereas the Essequibo was in 1779 the limit of the dominions of both nations, it was so with still greater reason in 1648; it is evident that it was so also in 1700, in which year the death of King Charles II took place, which is referred to in the pledge made by Great Britain in the treaty of 1713, to which the undersigned has already alluded.

There is something even more decisive, however, and of insuperable probatory force, inasmuch as it derives such force from the mutual testimony of both parties, Spain and Holland, in the convention signed by them at Aranjuez on the 23d of June, 1791, for the reciprocal surrender of deserters and fugitives from their American colonies. The first article of said convention is as follows: "Reciprocal restitution shall be made of white or colored fugitives between all the Spanish possessions in America and the Dutch colonies, particularly between those in which complaints of desertion have been most frequent, viz, between Porto Rico and St. Eustatius, Coro, and Curaçoa, the Spanish settlements on the Orinoco and Esequibo, Berbice, and Surinam." It is here clearly stated that as Porto Rico is Spanish and St. Eustatius Dutch, Coro Spanish, and Curaçoa Dutch, all the settlements on the Orinoco are Spanish. How far? As far as the other terminus which designates what is Dutch, as far as the Esequibo, Berbice, and Surinam. It is thus shown by the testimony of Holland herself that the boundaries of her possessions only extended on the north to the Esequibo River. And if this was still true forty-three years afterwards, was it not more evidently so a hundred and forty-three years before, and also almost a century earlier, at the time of the death of Charles II.

Any subsequent occupation of territories made in disregard of this limit would be in opposition to all law and in manifest violation of treaties concluded under the ægis of national good faith, guarded by the honor of the nations which made them, and forming the highest law that is recognized for their acts and relations by the governments of the civilized world. Usurpations of this kind, far from serving as ground for prescription, which would be unsustainable and absurd, in the first place because it is not defined among nations, and in the second because even in the light of civil law it would be totally wanting in the conditions which such law requires in order to be valid, would rather be a fertile source of reclamations for serious injuries or at least of justifiable complaints for which it is not wise to furnish ground when friendship is sincere and harmony is desired.

II. The island of Patos.

The island of Trinidad was discovered by Christopher Columbus on the 1st day of August, 1498. Columbus gave it the name of Trinidad (Trinity), on account of three mountain peaks which are seen from a distance and in accordance with his purpose to honor the first land that should be discovered with this name. He acquired it, therefore, for Spain, in whose service he was, by the right of discovery, in conjunction with that of bona fide occupation, settlement, and government. It was subsequently made a dependency of the captaincy-general of Venezuela.

Even if no such facts had ever existed, it would still have belonged to Spain by the title of proximity to the continent which she possessed and of which it is considered as a part, separated, perhaps, by some physical disruption.

During the war which was carried on between Spain and Great Britain at the close of the last century the British attacked the island of Trinidad, which surrendered in pursuance of the articles of capitulation which were signed February 18, 1797, by Sir Ralph Abercrombie, commander of His Britannic Majesty's land forces, and Sir Henry Harvey, rear-admiral of his frigates and vessels, on one side, and on the other by Don José Maria Chacon, brigadier of the royal navy, governor, and commander in chief of the island of Trinidad and its dependencies, inspector-general of its garrison, etc.

According to the terms of this agreement the officers and troops of His Catholic Majesty and his allies in the island of Trinidad were to surrender as prisoners of war and to deliver up the territory, forts, buildings, arms, munitions, money, effects, plans, and provisions by exact inventories, transferring them to His Britannic Majesty in the same manner and with the same title as that by which His Catholic Majesty had held them.

This was only a military occupation, an act of war, which did not transfer the ownership of the island until it was confirmed by the treaty of peace. War is not now considered as a means of acquisition; conquest is no longer a method of extending the dominion of nations.

The peace which put an end to this war was concluded at Amiens March 27, 1802, between the first consul of the French Republic, the King of Spain, and the Government of the State of the Dutch Republic.*

By the first article it is stipulated that there shall be peace, friendship, and good understanding between the contracting parties.

The second refers to the return of prisoners.

The third and fourth are as follows:

"ART. 3. His Britannic Majesty restores to the French Republic and its allies, to wit, His Catholic Majesty and the Dutch Republic all the possessions and colonies which belonged to them, respectively, and which have been occupied or conquered by the British forces in the course of the war, excepting the island of Trinidad and the Dutch possessions in the island of Ceylon.

"ART. 4. His Catholic Majesty cedes the island of Trinidad to His Britannic Majesty and guarantees to him the full ownership and sovereignty thereof."

It thus appears that the island of Trinidad was the only one of those adjacent to the territory of Venezuela that was ceded to Great Britain. Articles 1 and 2 of the treaty of recognition, peace, and friendship concluded by Venezuela and Spain March 30, 1845, are applicable to all the rest. Said articles are as follows:

"ARTICLE 1. His Catholic Majesty, in the exercise of the power conferred upon him by a decree of the General Cortes of the Kingdom, dated December 4, 1836, renounces for himself, his heirs, and successors, the sovereignty, rights, and acts belonging to him over the American territory known by the ancient name of Captaincy-General of Venezuela, now the Republic of Venezuela.

"ARTICLE 2. In consequence of this renunciation and cession His Catholic Majesty recognizes the Republic of Venezuela as a free, sovereign, and independent nation, composed of the provinces and territories mentioned in its constitution and in other subsequent laws, to wit, Margarita, Guiana, Cumana, Barcelona, Caracas, Carabobo, Barquisimeto, Barinas, Apure, Mérida, Trujillo, Coro, and Maracaibo, and any other territories or islands that may belong to it."

This article and the generally recognized doctrine that islands in the sea belong to the nearest continent caused the question of the ownership of the island of Aves to be decided in favor of Venezuela in 1865, notwithstanding its proximity to the islands of Saba and St. Eustatius and its very great distance from the coast of the Republic. This question, which was raised by the Netherlands, was decided by the Queen of Spain, to whose arbitration it was referred by the contestants. The principal arguments adduced and on which the decision was based were that all the islands in the Caribbean Sea, among them that of Aves, were discovered by the Spaniards, and when Venezuela was formed from the old Captaincy-General of Caracas she succeeded Spain in all her rights to them; and that the Venezuelan continent was the nearest territory of any magnitude to the island of Aves, which gave it a title in preference to all others, the principle being cited which was laid down in a similar case between England and the United States.

Now, in the Gulf of Paria there is a small, uninhabited island, known as the island of Patos (Duck Island). It is very near to the coast of New Andalusia, or of the territory now known as the State of Cumaná. A glance at the map is sufficient to show that it is nearer to Venezuela than it is to Trinidad, and it is within cannon shot (sic). It has always been thought to belong to this nation, and Codazze includes it among the islands of Cumaná. Since 1859 the governor of Trinidad has demanded the return of boats captured there, as if it were in British territory; he has, however, failed to

* Great Britain probably omitted through inadvertence.

furnish any ground for the claim involved by this demand. By reports subsequently received from Trinidad the Government learned that the corporation of Port of Spain had leased the island of Patos to Messrs. O'Connor Brothers. The consul of the Republic protested against this act, as was his duty, thereby meriting the approbation of the Executive of Venezuela.

The following is a statement of the grounds for this step: Bello, the Venezuelan publicist, speaking of the territory of a nation, in the third chapter of his Principles of International Law, says:

"In the fourth place the territory of a nation includes the islands surrounded by its waters. If one or more islands are in the middle of a river or lake which is owned jointly by two States, the dividing line of the waters will divide the islands or parts thereof belonging to each State, unless there be agreements or long possession to the contrary.

"With respect to islands adjacent to the coast, the rule is not so strict. Even those situated at a distance of 10 or 20 leagues must be considered as natural dependencies of the territory of the nation which owns the coasts, to which the ownership of these islands is of far more importance than to any other for its own security, both by land and sea."

E. Ortolan lays down the rule that if islands are formed in the territorial waters of a nation they belong to that nation, a change of form only having taken place.

He lays down the same rule for islands rising out of the sea, although he limits the right of claim to those within the "line of respect," denying the right of foreign States to settle thereon. He bases this rule both on grounds of safety and on the fact that such islands are dependencies of the soil. He refers to the decision pronounced by Sir W. Scott in the case of a prize taken in neutral waters of the United States. It was made a question whether the "line of respect" should be considered as drawn from the fort of Balize, situated on the edge of the shore, or from the outer edge of a group of small uninhabited islands formed by the sand and trees brought down by the current of the Mississippi, and which projected a little.

Wheaton appeals to the same authority in stating that the term coasts includes the natural dependencies of the territory which have risen from the water, although these islands may not be sufficiently firm to be inhabited or fortified.

Phillimore teaches the same doctrine, and cites more fully the decision of Lord Stowell, which ends thus:

"Let us consider what would be the consequences if such lands were not regarded as an appendage to the continent and as not included within the limits of the territory. If they do not belong to the United States of America, what other power could occupy them? They might be surrounded by a bank and fortified. What great inconvenience this would occasion to America. It is a physical impossibility, at least for European nations to occupy them, and then America would no longer control the river; it would be controlled by such settlements. The possibility of such a consequence is sufficient to show the fallacy of any arguments designed to prove that these islands should not be considered as part of the territory of America. Whether they consist of earth or of solid rock will not change the nature of the question; because the right of dominion does not depend upon the formation of the soil.

"I am of the opinion that the right of territory should be reckoned from those islands."

Here follows a statement of the reasons which all States have had to include in their territory that portion of the sea extending as far as a cannon ball can be fired.

"*Terræ dominium finitur ubi finitur armorum vis;*" i. e., the dominion of a State is coextensive with the projectile force of its weapons, is a rule of long standing. This distance was fixed at 3 miles, but it must now be greater, for the progress of the world has led to the invention of weapons whose projectile force is much greater. The waters on the coast are a part of the dominion of the nation owning the shore, for the following reasons, assigned by authors:

- (1) That these portions of the ocean are susceptible of continuous possession.
- (2) That the nation possessing them may exclude others from them.
- (3) That both for its own safety and in order to preserve the advantages which it derives from the territorial sea, it is interested in excluding them. Hence they deduce the principle that maritime dominion stops where continuous possession stops, in the place where it can no longer exclude foreigners; finally, in the place where, their presence being no longer dangerous to its safety, it has no interest in their exclusion. That is to say, that the entire space passed over by projectiles thrown from the shore, protected and defended by the power of its arms, is territorial, and is subject to the dominion of the sovereign of the coast. The greatest extent traversed by the ball of a cannon mounted on the shore is thus really the limit of the territorial sea.

So Hautefeuille:

Indeed, a nation could with difficulty exercise the right of its defense and security if others were allowed to approach it in such a way as to have it constantly

exposed to their artillery; if, on the entrance of foreign vessels there, they should consider themselves at liberty to act as in a place common to all; if they were permitted to visit points not open to commerce or intercourse with foreigners, to obstruct ingress or egress, etc.

In time of maritime war, when it was neutral, how would a nation fulfill its duties by preventing the fitting out of privateers, the enlistment of seamen and soldiers, the equipment of vessels, the simultaneous departure of hostile craft, the formation of expeditions, if it had no control over the waters contiguous to its coast? How easy it would be for belligerent powers to convert the neutral territory into a theater of war, and to cause the evils of such a condition to fall upon the peaceful inhabitants of a country having no interest in their quarrels.

Fiscal regulations would not be any more secure. Foreign commerce would no longer submit to the restrictions which necessity has everywhere imposed upon it. It would seek the accessible points of the coast, and would there introduce and take on board goods, thus reducing to nothing the rights of international property. No more custom-houses, no more coast guards. Far from favoring the existence of such a state of things, however, all nations oppose it, both actively and passively. Not only has a system been established for the regulation of commerce from which not one dissents or fails to enforce at home, but in order to provide for the execution of its laws for the prevention of smuggling, each exercises its jurisdiction both in its territorial waters and in a much wider sphere. "Even to a distance of 4 leagues," says Phillimore, "Great Britain and the United States of America have endeavored to prevent frauds against their exchequer by prohibiting the transshipment of foreign goods, and exercising jurisdiction to this end in time of peace, and preventing, in time of war, within the same distance, foreign belligerent vessels from lying in wait so near the coasts as to menace and alarm vessels entering or going out." The same author adds that the rights of independence and self-preservation justify a nation in preventing the violation of its fiscal laws beyond the exact limit of cannon shot.

The island of Patos is a very suitable place for watching contraband trade, because a revenue cutter stationed there can observe the entrance and departure of vessels sailing into or out of the Gulf of Paria.

The fisheries and the use of the other productions of that part of the sea which adjoins the coast would be of no benefit to the owner of the adjacent territory if the possession of them were not exclusive.

In consequence of the complete sovereignty of nations over the waters which wash their shores, "they may withhold the right of navigation from all or from any, close the coasting trade to foreigners, as it is still usual to do, limit the number of war vessels seeking to approach the coasts or to cast anchor even in open harbors, subject merchant vessels to examination by custom-house officers, and even to the payment of certain dues, such as anchorage, beaconage, light-house dues, etc.; in a word, they may make whatever regulations they may consider as conducive to their interest.

Foreigners entering the territory placed under restrictions must submit to the laws of the prince, as regards relations with the territory and inhabitants, in precisely the same manner as if they inhabited or were traversing the terrestrial portion of his states. In virtue of this sovereign power even vessels of war—that is, those directly representing their sovereign—may, on entering a foreign port, or even a roadstead, be required to comply with certain conditions, such as that of firing salutes and making other signs of their recognition of sovereignty.

Conventional law and the domestic laws of states have sanctioned the principle. To speak only of Great Britain, the treaty will be cited which that power made with France in 1786, article 41; with the United States in 1794, article 25; with the United States in 1806, article 12; with France in 1839; with Portugal in 1842, article 3. In the third of these treaties the pursuit of hostile vessels was prohibited within a radius of 5 nautical miles from the coast.

The act of the fourth year of the reign of George III (1764) and the law of August 28, 1833, of the fourth year of the reign of William IV, extended the sovereignty of Great Britain to the waters of the British Islands and to the distance of 1 league from the coasts.

The latter of these laws says: "Foreign vessels found within 1 league from the coasts, either at anchor or on the watch or sailing to and fro, without proceeding to any port or to the terminus of their voyage, when the weather permits, must withdraw within forty-eight hours after being warned to do so; if they are laden with contraband goods, and do not heed the warning, they shall be confiscated."

In view of all that has been alleged, the Government of Venezuela thinks that the island of Patos, and any other similarly situated, forms a part of the territory of the Republic, and consequently claims them as such.

Its opinion is in nowise altered by the only argument which, so far as it is aware, has been used in support of the claim of Great Britain. This is mentioned in a communication from the captain of the port to the colonial secretary of Trinidad, in the following terms: "The ground on which I have understood that we claim the island

of Patos is that in the capitulation all the islands of the Government of this colony were ceded, and that in the archives of the corporation there is a grant from the King of Spain to the illustrious corporation of this island and others by him possessed." The British legation communicated this document to this ministry as a proof of the groundlessness of the claim raised by the authorities of Guiria to the island, and also transmitted a copy of the grant referred to.

The terms of the capitulation have already been read; they refer only to the territory of the island of Trinidad, not to that of all the islands which were dependencies of its Government. Even if it did contain such an expression, however, as we are not to abide by the terms of the capitulation, but by those of the treaty of peace, it is in the latter instrument that we must look for the extension of the territory ceded. We have seen that the treaty of Amiens speaks distinctly of the transfer and guarantee of the island of Trinidad.

On examining the grant we find that it embraces the islands of Monos, Huevos, and Patos, but that it was not made as asserted by the King of Spain, but by Señor Don José Maria Chacon, Governor and commandant-general and intendant of Trinidad in 1797. It reads as follows: "Having seen the foregoing report of the first commissioner of colonization, his lordship said: That in the exercise of the powers conferred upon him by the royal *cédula* in relation to colonization, issued in the year 1783, and the provisions of the laws concerning the property of cities and towns, and also the commons and cattle pastures of the same cities and towns, he had resolved to grant, as he hereby grants to this city, to be held by it as its property, the islands of Patos, Huevos, and Monos forever, to the end that the revenues and products thereof to be applied to the public necessities of this said city, according to the aforesaid laws and subsequent royal orders; wherefore a title is issued in due form and a record kept thereof; that it may be laid before His Majesty for the purpose of receiving the sovereign royal confirmation, and a duplicate is transmitted to the commissioner." As the document states, this grant required to be confirmed by His Catholic Majesty without whose confirmation it had no value whatever. This approval has never been produced, nor does it appear anywhere to exist. But still further. Even supposing it to have been obtained, it would be necessary to ascertain whether the three islands in question, not being included in the cession of Trinidad to Great Britain, were transferred with it to British ownership. It is judged that they were not, in view of the language of the treaty of peace; and if it could be proved that the King of Spain assented to the cession of the islands as commons, all that the corporation of Trinidad could claim would be ordinary ownership, similar to that of private individuals; like that which a State has, not in its own territory, but of its property situated in the territory of a foreign power; like that which Mr. Gerard Carry or his successors will have to the island of Chacachare, to which a title in form was granted to Mr. C.; like that of citizens or foreigners to wild lands granted to them; in fine, the ownership of civil, not international, law.

EDUARDO CALCAÑO.

No. 2.

Mr. Camacho to Mr. Evarts.

LEGATION OF VENEZUELA IN THE UNITED STATES,
New York, December 21, 1880.

MOST EXCELLENT SIR: I am informed that the press of Ciudad Bolivar, the capital of Venezuelan Guiana, has recently announced that two British vessels, one of them being a vessel of war and the other a sailing vessel, have made their appearance in the mouth of the Orinoco River, having on board telegraph poles, wires, and other articles, and that they have begun to erect poles at Barima and to establish a telegraph line.

This is not the first time that England has engaged in trespassing or squatting [*sic*] on the territory of Venezuela.

As early as 1841 a Mr. Schomburgh, under pretense of making explorations, erected several poles at Barima, bearing the words "Victoria Regina." These poles were not removed until after the repeated presentation of a formal and earnest remonstrance by Dr. Alejo Forbique, then minister of Venezuela at London, and since that time clandestine

efforts have been constantly made by the great European power to make herself mistress of the principal mouth of the Orinoco River.

Your Excellency will readily see that, with the island of Trinidad at the mouth of the river, with British Guiana at the side, and with the naval power of Great Britain everywhere, the English claim, if it should be realized, would cripple Venezuela, the owner of the territory, and Colombia, to which Republic is allowed free passage for its vessels in the Orinoco River as far as its mouth, and which owns some of the affluents of that river, inasmuch as both Republics would thereby be subjected to the absolute supremacy of Great Britain, as that power would control the outlet to the sea.

Moreover, if Great Britain were to get full possession of Barima, the commerce which the world now carries on with the ports situated on the Orinoco would be entirely at her mercy, although her title to possession, notwithstanding the fact that she claims it with so much eagerness and persistence, would rest upon an exceedingly slender basis, though upon a much stronger one than does her title to the occupation of Gibraltar in the Mediterranean.

As long ago as 1876 Venezuela made an effort to effect the settlement of this question, which is a vital one for her and one of importance to the commerce of the world. The cabinet of St. James, however, has constantly put it off on various pretexts, and has never been willing to enter into a full discussion of the question.

The authorities of Venezuela are now engaged in the preparation of a report of what has been done, and that will enlighten Your Excellency with regard to the designs entertained by England.

Awaiting the reception of that document, I take the liberty to inform Your Excellency of this occurrence, feeling certain, as I do, that the United States (and far less Your Excellency) will not view with indifference what is being done in a matter of such capital importance as that which has been brought to my attention by my Government.

I gladly avail myself of this occasion, etc.

SIMON CAMACHO.

Annex to note, December 21, 1880.

Sketch of the extensive regions that could be subject to constant and dangerous questions of control upon all their waters, in consequence of the occupation of the point "Barima," which is the key of the great Boca de Navios, the principal entrance and outlet of the navigation of the Orinoco River, as Great Britain pretends.

The possession of Barima affects more than the Venezuelan territory comprised between the mouths of the Orinoco and the Essequibo, covering 2° of north latitude, between the seventh and ninth parallels—say 120 miles from north to south—with some 1,200 square miles on the coast of the Atlantic, which Great Britain pretends to make her property.

It is, furthermore, the question of a more or less direct control over an immense region which England wants to make dependent from her powerful will—the whole land and the rivers comprised between the 14° and the 84° of north latitude and the 614° and 75° west longitude of the meridian of Paris. This, an extensive zone of some 75 or 78 square miles, nearly [all] of it belonging to the territorial jurisdiction of Venezuela, and the balance of it to the United States of Colombia and to the Republic of Ecuador.

The principal importance of the Barima point consists in its own position, since the Orinoco flows into the sea close near by it through the Boca de Navios, which is the last toward the south of the seventy mouths of that majestic fluvial artery, and the real entrance and outlet of the river.

The line of the river runs from there in a line east-west, with a little deviation toward the south, for a distance of 7 degrees, or 420 miles, and as many toward the southwest, and great many more from San Fernando de Atabapo toward its source, to the present day unknown.

The Orinoco receives on its left bank one hundred or more rivers, among them the powerful Apure, the Arauca, the Meta, the Vichada, the Guaviari, the Tuirida, the Atabapo, and many others that are navigable.

Some of these rivers descend from the Andes (like the Apure, the Arauca, the Meta, the Vichada, and the Guaviari), and, running from west to east, with more or less deviation until they flow into the Orinoco in an extension of 5 to 7 degrees, afford bottom for more than 3,000 miles; that is to say, their whole course.

On its right or oriental bank the Orinoco receives numberless streams of water; a great portion of them are navigable and of first importance, like the Paragua, the Ventuari, and an excessive number of their tributaries.

The same disputes for jurisdiction about the Orinoco will be found about the river Amazonas, as the Guainia, the Casiquiare (which is a bifurcation of the Orinoco), the Idopa, the Purimori, and a multitude of other rivers flow into the Rio Negro to find an outlet into the Amazonas; and the control of the mouth of the Orinoco, exercised at its end at Barima, will be more or less connected with that of the territory through which flow the Baupes, the Carqueta, the Tnpura, the Putumayo, and even the Napo, all tributaries of the Amazonas; but crossing one another, bifurcated and with very small distances to separate them, forming the most extensive net of fluvial navigation perhaps known on the surface of the earth.

The numberless questions in the history of the world by the disputed control of fluvial waters, between the owner of the mouth into the sea and the owners of the upper waters that flow through said outlet, and successions of wars and treaties that such conflicts of rights has produced, evince in the clearest manner *what* will be, and that at no distant days, the very many consequences that the dominion of England over Barima Point will bring to nearly half of the South American continent.

Perhaps among the *American questions* there is none of more vital importance than this provoked by the pretension of Great Britain, who, at the beginning of the present century took possession of the island of Trinidad, during the war with Spain, in order to cover the seventy mouths of the Orinoco, and now intends to possess Barima, the real entrance and outlet of that great fluvial artery and of its numberless tributaries.

No. 3.

Mr. Evarts to Señor Camacho.

DEPARTMENT OF STATE,
Washington, January 31, 1881.

SIR: I have the honor to acknowledge the receipt of your note of the 21st ultimo, acquainting me with the arrival of two British vessels, one a man-of-war, in the jurisdictional waters of Venezuela, and with the proposed action of the authorities of Great Britian which has for its object doubtless the acquisition of the territory belonging to your Government with a view to commanding the commerce of the ports situated on the Orinoco River. You state also that the Venezuelan authorities are now engaged in preparing a report of what has been done that will enlighten this Government with regard to the desigus entertained by England.

In reply I have to inform you that in view of the deep interest which the Government of the United States takes in all transactions tending to attempted encroachments of foreign powers upon the territory of any of the republics of this continent, this Government could not look with indifference to the forcible acquisition of such territory by England, if the mission of the vessels now at the mouth of the Orinoco should be found to be for that end. This Government awaits, therefore, with natural concern the more particular statement promised by the Government of Venezuela, which it hopes will not be long delayed.

I avail, etc.,

WM. M. EVARTS.

No. 4.

*Mr. Evarts to Señor Camacho.*DEPARTMENT OF STATE,
Washington, February 28, 1881.

SIR : Referring to your note of the 21st of December last, touching the operations of certain British war vessels in and near the mouth of the Orinoco River, and to my reply thereto of the 31st ultimo, as well as to the recent occasions in which the subject has been mentioned in our conferences concerning the business of your mission, I take it to be fitting now, at the close of my incumbency of the office I hold, to advert to the interest with which the Government of the United States can not fail to regard any such purpose with respect to the control of American territory as is stated to be contemplated by the Government of Great Britain, and to express my regret that the further information promised in your note with regard to such designs had not reached me in season to receive the attention which, notwithstanding the severe pressure of public business at the end of an administrative term, I should have taken pleasure in bestowing upon it. I doubt not, however, that your representations, in fulfillment of the awaited additional orders of your Government, will have like earnest and solicitous consideration at the hands of my successor.

Accept, sir, etc.,

WM. M. EVARTS.

No. 5.

Mr. Carter to Mr. Blaine.

No. 38.]

LEGATION OF THE UNITED STATES,
Caracas, November 30, 1881. (Received December 16.)

SIR: On November 24 instant I received a personal visit at the rooms of the legation from the President and minister of exterior relations of Venezuela, and an invitation to dine the same day with the President at his official residence. There were present, beside myself, only the Executive, his family, and Mr. Seijas. After dinner, and after a free conversation on personal matters and public affairs generally, President Blanco informed me that there was pending a question of boundary between Venezuela and Great Britain, which was of essential importance to Venezuela and a source of great anxiety to him. The question covers the line of separation between British Guiana and Venezuela, and involves a large and fertile territory between the Essequibo and Orinoco, and probably the control of the mouth and a considerable portion of the latter river. The controversy seems to have been inherited from the Spanish Crown, but assumed more definite shape in 1840, since which time it is alleged that the policy of Great Britain in the treatment of this question has been delay, the interval being utilized by gradually but steadily extending her interest and authority into the disputed territory.

The question has lately received the attention of both Governments, and the minister of exterior relations has in course of preparation a reply to be submitted to the Government of Great Britain. The President stated that though the rights of Venezuela were clear and indis-

putable, he questioned her ability, unaided by some friendly nation, to maintain them; and he hesitated even to state the full claim of the Republic and give an ultimatum, in response to the English note, unless assured of the support, in some form, of the Government of the United States. He then expressed a desire to communicate through this legation the Venezuelan reply to the Government of Great Britain, with an accompanying memorandum containing the facts of the case and grounds upon which Venezuela based her claim to the Essequibo, as the boundary between the two countries. My opinion of the probable action of the United States was then sought. I replied that the Government and people of the United States, because of the geographical proximity of the two Republics and similarity of political institution, and for commercial considerations also, entertained a sincere interest in the fortunes and success of Venezuela, and could not be indifferent to any transaction that might seriously threaten the integrity of her soil or the permanency of her free institutions, or that might materially cripple her growth or injure her prosperity. I added further, that a condition of things might arise in which the friendly offices or moral support of the United States might be available, but upon this particular issue I was not advised of the policy of my Government, nor authorized in any way to make commitments or give assurances in its behalf. In response to a direct question on that point, I said that, as at present advised, I should feel at liberty to transmit to Washington, for the information of the Government, copies of any papers or documents that I might be desired to send forward.

The Government here attaches great importance to this question of boundary, and are apprehensive of grave results from it. I have not examined the question very fully, but it may possess elements, commercial and otherwise, that may be deemed important enough to demand for it serious consideration, if not substantial action.

I have, etc.,

GEO. W. CARTER.

No. 6.

Mr. Baker to Mr. Frelinghuysen.

No. 495.]

LEGATION OF THE UNITED STATES,
Caracas, June 20, 1882. (Received July 8.)

SIR: Referring to Mr. Carter's No. 38, of date November 30, last, I have to say that, casually meeting Mr. Seijas on the street (on Thursday the 15th instant, I think it was), he inquired of me whether any answer had been received to Mr. Carter's communication respecting the pending question of boundary between Great Britain and Venezuela which the President had brought to his (Mr. Carter's) attention. I answered that I thought none had been received further, it might be, than an acknowledgment of Mr. Carter's communication; but that I would make examination and ascertain for certain; that I was going to call on him on the succeeding Saturday (the 17th instant), and would then inform him accurately. Upon examination of the files, finding that no answer had been received to Mr. Carter's said dispatch, other than an acknowledgment of its receipt, I so informed Mr. Seijas upon calling on him on the 17th instant. In reply to an inquiry, he said the Government had expected an answer to the communication in question, and had awaited

the same in anticipation of addressing the Washington Government in writing on the subject. I suggested to him that there might be a difference of views on the part of the Government of Venezuela and that of the United States respecting the matter of the communication of Mr. Carter—that the latter Government may have regarded this communication as being in the nature of information and not containing matter requiring a formal response. He said Mr. Carter thought there would be an answer, and had suggested that the Venezuelan Government wait for an answer before writing the Washington Government on the subject; and he added that he did not know whether the President would further wait before directing that that Government be written to respecting the matter in question, but that his impression was that he would not wait.

I have thought it proper to write the foregoing for your information in the premises.

I am, etc.,

JEHU BAKER.

No. 7.

Mr. Frelinghuysen to Mr. Baker.

No. 169.]

DEPARTMENT OF STATE,
Washington, July 15, 1882.

SIR: Your dispatch No. 495, of the 20th ultimo, has been received. It refers to Mr. Carter's dispatch No. 38, relative to the disputed boundary between Venezuela and Great Britain at the mouth of the Orinoco River.

It seems that the Venezuelan Government expected an answer to that dispatch and expressed disappointment that one had not been returned, especially through you. It appears that the receipt of the dispatch was acknowledged. On turning to it, however, the necessity for any further answer at that time is not obvious. The Venezuelan Government proposed to communicate to us through Mr. Carter for our consideration certain papers relative to their dispute with Great Britain. Mr. Carter courteously offered to forward them. Any further answer on the subject seems to have been regarded as unnecessary until the communication should have been received. As yet, however, it has not reached here. It can not be that that Government expected us to express an opinion upon the subject, at least in advance of an opportunity to examine the muniments of its title.

Mr. Carter, in his dispatch adverted to, correctly expressed the general views of this Government upon the question. It may be added that we are desirous that the claims of Venezuela shall prevail in every way which may be sanctioned by public law, including any treaties which may contain stipulations upon the subject, and by acknowledged historical facts. If Venezuela should request it, we will propose to the Government of Great Britain that the question be submitted to the arbitrament of a third power. Similar questions have in several instances in late years been amicably and satisfactorily adjusted in that way, in some of which Great Britain has been a party. There is no reason to suppose that the controversy referred to might not be settled in the same manner.

I am, sir, etc.,

FREDERICK T. FRELINGHUYSEN.

S. Ex. 226—2

No. 8.

Mr. Bkaer to Mr. Frelinghuysen.

No. 529.]

LEGATION OF THE UNITED STATES,
Caracas, August 15, 1882. (Received August 29.)

SIR: Referring to your dispatch numbered 169, of 15th ultimo, relative to the matter of the disputed boundary between Great Britain and Venezuela, which dispatch was received on the 12th instant, I have to say that on the 14th instant I read the same to Mr. Seijas, thinking that this was a proper way to advise him of the attitude of our Government respecting the matter. He expressed himself to the effect that it was an important dispatch, and that the President would be much gratified by it, and upon his intimating a desire to take a copy of it I immediately consented that he might do so, and temporarily left the dispatch with him accordingly. He returned it to-day.

I have lately received quite a voluminous mass of matter from Mr. Seijas respecting the disputed boundary in question, which I expect to send by the next mail.

I am, etc.,

JEHU BAKER.

No. 9.

Mr. Baker to Mr. Frelinghuysen.

No. 565.]

LEGATION OF THE UNITED STATES,
Caracas, October 21, 1882. (Received November 4.)

SIR: I have the honor to inclose herewith—

(1) A copy and translation of a note from Mr. Seijas, of date July 15, 1882, respecting the disputed boundary between Venezuela and British Guiana.

(2) A copy and translation of Document A, accompanying said note, the same being a "memorandum on the fluvial navigation of the South American continent."

(3) A copy and translation of Document B, accompanying said note, the same being a memorandum respecting the disputed boundary between Venezuela and British Guiana.

(4) A copy and translation of Document C, accompanying said note, the same appearing to be a copy of a note intended to be sent by the Venezuelan Government to the Venezuelan minister at London, respecting the boundary in question.

(5) A copy and translation of Document D, accompanying said note, the same appearing to be a copy of a translation of a note from Lord Granville to Señor Rojas, the Venezuelan minister at London, on the boundary in question.

(6) A copy and translation of Document E, accompanying said note of Mr. Seijas, the same being a copy of a translation of a "memorandum on the question of boundary between British Guiana and Venezuela," accompanying said note of Lord Granville.

(7) A copy of my note to Mr. Seijas, of date October 20, 1882, in answer to Mr. Seijas's said note.

As it is obviously and eminently proper that our Department of State should be the repository of all intelligence respecting the principal inter-

national questions affecting the nations of our hemisphere, I can not doubt that these documents will arrest its careful attention and find a proper and welcome place in its archives, viewed simply as information respecting one of these questions.

But, as will be seen, the matter of boundary in question is submitted by the President to the Government of Washington, "with the hope of having on the particular [subject] its opinion and counsel, and in solicitude of the support which he believes it possible to lend to Venezuela in order that justice may be done her."

I earnestly recommend the attentive and friendly consideration of this application, thinking, however, at present, of no better course than that already suggested by you in your dispatch numbered 169, in reply to my No. 495, in which you say: "If Venezuela should request it, we will propose to the Government of Great Britain that the question be submitted to the arbitrament of a third power."

You will see that the Government of Venezuela contemplates proposing such arbitrament of the question to the Government of Great Britain.

I am, etc.,

JEHU BAKER.

[Inclosure 1 in No. 565.—Translation.]

Mr. Seijas to Mr. Baker.

CARACAS, July 15, 1882.

SIR: Referring to a conference which the President of the Republic had, on the 24th of November, 1881, with your excellency's predecessor, Mr. Carter, concerning the question of boundary between the United States of Venezuela and British Guiana, I have received from the illustrious American an order to address to your excellency this communication, and to request that you will please recommend its contents to the favorable consideration of the Cabinet of Washington.

On that occasion was indicated the supreme importance to Venezuela of the large and important river Orinoco as part of the fluvial system of communication of South America. On this point I refer to the separately accompanying memorandum, A, in which it has been illustrated with some amplitude. In that document is, moreover, manifested the danger of the increase of British influence in those regions which would be derived from the proprietorship of the mouths of that route in the hands of the English nation. It would be a means of empowering itself of the commerce of extensive and fertile regions, with damage to the interests of the United States, which now, seeing the European powers in almost exclusive possession of the exchanges with the Spanish-American countries, puts forth efforts directed to the remedy of a situation so unfavorable.

However, historical facts signalize this as the method of British pretensions in America. Not to speak of the expeditions to the Isthmus of Darien in 1699, nor of the intrusion on the Mosquito coast, and in Honduras, and the Malvinas Islands, I limit myself to recalling that the eagerness of Great Britain to possess the mouths of the Orinoco has manifested itself from the past century, in which, besides seizing upon the contiguous part of Dutch Guiana, at length acquired by treaty in 1814, she possessed herself by main force of the neighboring island of Trinidad, which Spain was made to cede by the treaty of Amiens in 1804.

I now proceed to indicate some of the causes which have moved the President to believe that moral support of the United States to which he aspires in this case is found to be in perfect accord with all their antecedents, and would not produce other result than that of affirming and preserving the high position which has always belonged to them among the nations of the world, and whose importance extends with their elements of prosperity and greatness.

After the example of the United States, the Spanish-American colonies, on seeing themselves in a condition to emancipate themselves from the mother country (*metropolis*), and to enter upon a proper and independent life, undertook the struggle which, prolonged for some years, reached in the end a happy conclusion.

In July, 1811, the date at which the independence of Venezuela was declared, it is a report that an agent of the United States at Caracas gave an impulse in that direction.

The constitution then adopted by the seven united provinces of Venezuela was a transcript of the one which had been established from 1787 by the Federation of the North, and under whose shelter it has advanced to a height of grandeur which is the admiration of the world.

Already in his message of the 5th of November, 1811, President Madison called the attention of Congress to what passed in the southern part of the American hemisphere, intimating that large philanthropy and an enlightened foresight imposed on the national counsels the obligation to take a profound interest in the fate of these communities, to cherish reciprocal sentiments of good will, to watch the progress of events, and not to be unprepared for any order of things which in the end might be established. And a committee of the House of Representatives, to which that part of the message was referred, reported, proposing a resolution in accord with the view of the President, and which promised, whenever the revolted provinces should have attained the condition of nations, that the Senate and House of Representatives should unite with the Executive, in order to establish with them (five States sovereign and independent) the friendly relations and the mercantile agreements which the legislative authority might require.

The United States did not recognize the blockades of extensive American coasts which Spain decreed on account of the insurrection of her American colonies as not being in conformity with the law of nations, either in respect to the mode of establishing them or in respect to what would be reputed as a violation of them.

From the time that the struggle took consistence, presenting a probability of good exit, the United States, notwithstanding the reclamations of Spain, recognized in the insurrectionists the rights of belligerents.

Following the revolutionary movement with interest and sympathy from the beginning, they sent to the diverse Spanish-American provinces agents who observed the course of events and kept them instructed respecting the fortune of the republican arms.

In April, 1822, President Monroe had recourse to the Houses, appreciating the recognition of their independence, and accompanying extensive reports on the state of the undertaking, now almost concluded, without prejudice to the neutrality which the Anglo-American Government had constantly maintained.

In 1823 the Congress accorded the recognition.

In taking a step so significant the United States placed themselves in advance of the other nations, opening to them a road into which they all had to enter.

The United States then concerted with Great Britain in order to oppose themselves to the plan of other European powers aiding Spain, who were inclined to cooperate in the subjugation of the colonies.

To the pretensions of the congresses of Layback, Troppan, and Verona, the Federation of the North responded with the Monroe doctrine, by which it made known its intention to repel with all its force the intervention of the powers in whatever form it might assume against the new nationalities, above all if it had for object to implant in them a sovereignty different from that of Spain.

Of the same doctrine an interesting part is the declaration that the American continents, according to the state of liberty and independence which they had acquired and preserved, could not be considered as susceptible of colonization by any European power.

The expounders who attribute less latitude to this part of the doctrine agree that it signifies, among other things, that the questions of the boundaries of the ancient European establishments and the new American States can not be decided except in conformity with the principles of international law.

I am gratified to observe that the Monroe doctrine has been sustained in a recent dispatch of the present Secretary of State.

The United States viewed with favor, and as a means of giving practical application to that doctrine, the idea of reuniting the Congress of Panama, for which they named representatives.

The United States not only many times urged on Spain the recognition of the new nations with great richness of knowledge and powerful political considerations, but used her efforts to persuade the concourse of Europe in favor of the same object.

I will not enumerate the other acts by which the United States have concurred in the formation and support of the independence of the Spanish-American nations; but I can not omit, in view of their magnitude, the mention of two of them.

One is the treaty concluded in 1850, by Messrs. Clayton and Bulwer, relative to the construction of an interoceanic canal across the Territory of Nicaragua, and in which the Government of the United States and Great Britain agreed not to occupy, nor fortify, nor colonize, nor assume, nor exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America.

The other act was that of the United States when, stimulated by the four years' rebellion, France established in Mexico an imperial government, which was not able to sustain itself from the time that the grave attitude of the Cabinet of Washington produced the withdrawal of the intervening forces.

The preceding exposition proves that the United States, considering the republican nations of this continent to a certain extent as their own work, have always shown them esteem, sympathy, fraternity, taking interest in the preservation of their form of government and the integrity of their territories, trying to conciliate the discords which at times have been excited between these countries, and serving them with efficacious aid in order to allay difficulties with European powers. It could not be otherwise, in view of the geographical position of these Republics, the analogy of their institutions and those of the United States, and the common aspiration to root in America the democratic form.

Venezuela has had the fortune to experience the beneficent influence of the United States. It has not been long since a word from them sufficed to disarm the hand of Holland when already prepared to avail herself of force in order to avenge upon this country the use of its rights as a State, which, nevertheless, she subsequently recognized.

No later than the past year the friendly interposition of the United States arrested the action of France, who was resolved to occupy the principal custom-houses of the Republic, not on account of any offense received from it, but solely to destroy an inequality in the division of the funds assigned to its diplomatic creditors—determined their distribution on just bases, proportioning the quotas to the credit of the participants.

Full of gratitude for such services, and full of the confidence which they inspire, Venezuela now invokes good intelligence with the United States in search of some means which may contribute to the just termination of her question of boundary with British Guiana. This Government only claims what belonged to Spain, according in this with the opinion of the United States, which, on the 2d of May, 1849, said:

"The President is fully decided in the just opinion that Spain having discovered and occupied that part of the American continent, the pretended independence of the Mosquitoes, even supposing it had been tolerated by said power, could not annul her right of dominion over the territory claimed by these Indians, as also the independence, in the same degree, of all the different tribes has not annulled nor can compromise the sovereignty of other nations, that of England included, over all the portion of the territory of the same continent. All the territorial rights of Spain over her ancient possessions have descended to the States which were afterwards formed, and this dominion must be considered as belonging to these same States, unless they may have voluntarily renounced it."

In 1841 Great Britain sent as commissioner the engineer, Mr. Schomburgk, who, under pretext of ascertaining the frontier line, put up posts and the British flag at Punta Barima. It is true that, acting afterwards with justice, in consequence of the reclamations of Venezuela, she ordered those marks and signs of possession to be removed.

The Republic was then urgent for the demarcation, and by 1845 it had been obtained that the cabinet of England occupied itself with the matter; but the death of the Venezuelan minister, Señor Fortique, paralyzed the negotiations.

Many years passed without returning to them, not even to the question of limits in general, except when some extraordinary occurrence presented the opportunity. But in the meantime the British advances have continued to the point that on the River Guainia, which disembogues some 40 miles from Punta Barima, there are various missions, all ruled by the British Government, which has there an employee with the charge of colonizing, peopling, and educating their inhabitants, among whom the use of the English language predominates.

In 1876 General and President Guzman Blanco, to whose initiative is due everything important which this ministry has done, accredited to London a plenipotentiary with the object of effectuating the end of a negotiation already so retarded with increasing harm to Venezuela. But new delays have made torpid the course of the expedient. Finally, in September, 1881, Lord Granville made a proposition in which, besides prescinding, without known reason, the less greivous one made spontaneously to Señor Fortique by Lord Aberdeen, and without entering into the legal discussion of the case, he indicates as a boundary of accommodation a line which, accepted, would leave Venezuela exposed to infinite dangers, deprive her of an extensive and important portion of her territory, and leave undefined the points not comprehended in the British memorandum.

The president of the Republic, grounded on the reasons contained in the two inclosed copies, B and C, with those of their reference D and E, has resolved to give to Her British Majesty the negative answer which is rigorous, in view of the impossibility of conciliating her pretensions with the rights of the Republic, which extend to the Essequibo, and in view of the constitutional prohibition of alienating any part of her territory. Nevertheless, before communicating the response he submits it to the Government of Washington with the hope of hearing on the particular [subject] its opinion and counsel, and in solicitude of the support which it may deem possible to lend to Venezuela, in order that justice may be done her.

I entreat your excellency that on the earliest occasion you will please send the present note to Washington, adding for your part that which you may esteem opportune, and expressing that Mr. Carter assured the President of the good disposition of the Government and people of the United States to receive this friendly solicitation.

I renew, etc.,

RAFAEL SEIJAS.

[Inclosure 2 in No. 565.—Translation.]

MEMORANDUM ON THE FLUVIATILE NAVIGATION OF THE SOUTH AMERICAN CONTINENT.

South America is endowed with a prodigious network of fluviate navigation, and all of it is contained, by the configuration of the continent, in three immense valleys (hoyas)—that of the Orinoco, that of the Amazon, and that of the Plata.

The waters which empty into the Pacific and into the sea of the Autilles, which may be considered as of a secondary order, are put aside in their memoir, excepting the River Guayaquil, the Atrato, and the Magdalena, because the chain of the Andes, which runs from Patagonia to the northern extremity of the continent, and afterwards to the east along all the coast of the Caribbean Sea, forms a border or margin which girds it on the west and on the north in such manner that the Pacific and the Caribbean Sea bathe all the slopes of the Andes.

But for this same reason there remains on the east of the Pacific Andes and on the south of the Andes of the North almost the whole of the South American continent.

Divided as it is into the aforesaid three great valleys (hoyas)—that of the Orinoco, that of the Amazon, and that of the Plata—these three immense rivers, which embrace regions from 10° of north latitude to 55° of south latitude, with few and rare exceptions, discharge their waters into the Atlantic by their three mouths.

It is important to note that, as the continent is not traversed in a direction from east to west by mountain chains which may intercept the three regions, those three gigantic rivers communicate by distinct bifurcations, some already known and others unexplored; so that the dominion of one of the three mouths would, in the course of time, give place to pretensions, as a direct result, over the others, and these mouths are such and so many that the Orinoco alone counts seventy-three outlets to the sea.

This memorandum is now concentered to the valley of the Orinoco, the dominion of which belongs to Venezuela, as it belonged to the ancient mother country (Metropoli), Spain.

The Orinoco, which empties into the Atlantic between 9 and 10 degrees of north latitude by a space of 60 miles, has a course from east to west from the 63d to the 69th degree of west longitude from Paris; and in the space of these 360 miles it receives waters which come to it from the north between the 8th and 10th degree of north latitude, which are 4 cañons and 24 rivers, among which enters, as one of so many tributaries, the Apure, which has already received from the northern side 15 rivers more.

From the point at which the Orinoco turns its current to the south, 69 degrees of west longitude from Paris, and 9 of north latitude to the 3d degree of the same, there enter into it on the eastern side 95 rivers already discovered and named.

On the western side, from the chain of the Andes, and after the Apure, already counted, because it is on the north, 34 rivers enter the Orinoco; but among them the Cabrillare brings the waters of 5 rivers, the Araguaito those of 4, and the Arauca those of 12.

The Cunaviche brings to it those of 3, the Claro of 2, the Cacanaparo that of 7, the Sinacuro that of 4, the Meta that of 30, the Tomo those of 12, the Paparro those of 15, the Vichada those of 20, the Guayabero or Guaviaro those of 64, the Inirida those of 30, and the Atabapo those of 20.

It is to be noted that all the territory of the Republic, not being topographically well known, because a population of 2,000,000 of inhabitants on a territory which occupies near 10 degrees of latitude on the north of the equator and 15 of west longitude from Paris—from the 60th to the 75th degree—can not have achieved a perfect exploration. Any error which may appear in these demonstrations would give a difference augmenting the number of the rivers of that region.

But what will give a perfect idea of the extension and wealth of some of these great rivers is to take into account the extension of the course of some of them. The Apure takes its rise at the 73d degree of west longitude from Paris, and empties in the Orinoco at the 69th degree, so that it runs 5 degrees, or 300 miles, even supposing that the course of its waters be in a straight line from west to east.

The Arauca receives waters yet more to the west than the Apure, and empties into the Orinoco almost at the meridian of the same Apure, so that it runs something more than 300 miles.

The Cacanaparo, 180 miles.

The Meta takes its rise at the 76th meridian and empties at the 70th into the same Orinoco, so that even in case that its waters should run in a straight line from west to east the 6 degrees would be 360 miles; but this river, which takes its rise at the 4th degree of north latitude, empties at 6½ degrees of the same, describing a diagonal southeast, which, with its different curves, in every sense makes a current which can not be calculated at less than 400 miles.

The Vichada runs 240 miles, until it empties into the Orinoco.

The Guaviare, formed by the Ariari and the Guayabero, which take their rise at the 77th meridian, and which, under the first name, empty into the Orinoco at 70½, on account of its great sinuosities, may run a space of 500 miles.

The Inirida 120, and the Atabapo 60 miles. All those great rivers go to the sea by the mouths of the Orinoco.

Among those great fluviatile arteries, the Orinoco and the Apure are navigated by steam for the distance of 7 meridians, or 420 miles.

The Meta also begins to be navigated, by a privilege conceded to a mercantile society by the Government of Venezuela.

And its navigation is so practicable that, arriving at a fluvial port called Villavicencio, the cargoes stop at only two days' distance from Bogota, the capital of New Colombia; and if, instead of a cart road, there be constructed a railroad, that will be a distance of hours.

With this fact it is proved that, according to the anterior demonstration, it is by the mouth of the Orinoco that can be, and ought to be, carried on all the commerce to the eastern foot of the Andes, navigating from east to west by the great tributaries of the Orinoco, equal or little inferior to the Meta, which has necessarily to change almost all the relations of a territory so immense with friendly peoples; and it is evident that, in that singular network of fluvial navigation, the steamer will create a prodigious growth of every kind in the vast extension which it embraces, and which much exceeds what now signifies the zone that encircles it to the north and to the west on the one and on the other side of the Andes.

Hence, without doubt, it has arisen that Great Britain should conceive, and should send to execute, the commission which she confided to Mr. Schomburgk in 1844, the date from which, between vacillations and delays, that Government comes pretending to be a participant in the mouth of the Orinoco, key of a fourth part of the South American continent.

As to the titles of indisputable territorial dominion of Venezuela, not only over the mouths of the Orinoco, but over all the coast which runs afterwards to the south as far as the mouth of the river Esequiro, it is already demonstrated in an incontestable manner, being brought to the knowledge of the enlightened Government of the United States of the North in another memorandum from this ministry through the Venezuelan legation at Washington.

The Government of Venezuela considers that the dominion which Great Britain pretends over the great mouth of the Orinoco, called Boco de Navios, would not only be an absolute negation of the perfect right of the Republic over all the fluviatile network between the Sea of the Antilles and the Amazon, but that it would necessarily occasion to all the other nations, maritime, industrial, or mercantile, future and great difficulties and dangers, and more than to any to the United States of the North, called by so many and such strong reasons to create, promote, and extend—each time more—every kind of relations with her sisters of South America.

CARACAS, July 15, 1882.

[Inclosure 3 in No. 565.—Translation.]

B.

MEMORANDUM.

The Republic of Venezuela borders on the east upon British Guiana. The limits have not been demarcated, but they must be the same ones which belonged between Spanish and Dutch Guiana. Venezuela is subrogated to the rights of Spain, Great Britain to those of Holland.

By article 1 of the treaty of peace and recognition, concluded in Madrid on the 30th of March, 1845, His Catholic Majesty, "using the power which concerns him by decree of the Cortes General of the Kingdom of the 4th of December, 1836, renounces for himself, his heirs, and successors the sovereignty, rights, and actions which belong to him over the American territory known under the ancient name of Capitanía General of Venezuela, now the Republic of Venezuela."

By article 2: "In consequence of this renunciation and cession, His Catholic Majesty recognizes the Republic of Venezuela as a free, sovereign, and independent nation,

composed of the provinces and territories expressed in the constitution and other posterior laws, viz, Margarita, Guiana, Cumana, Barcelona, Caracas, Carabobo, Barquisimeto, Barinas, Apure, Merida, Trujillo, Coro, Maracaibo, and any other territories or islands which may belong to her."

All the constitutions which Venezuela has had declare for her limits the same which, in the year 1810, belonged to the Capitania General of Venezuela.

As to Great Britain, she derives her title from the Netherlands, according to the treaty signed in London on the 13th of August, 1814, the first article of which, says: "His Britannic Majesty is bound to restore to the Sovereign Prince of the United Provinces of the Netherlands, within the time which will be fixed hereinafter, the colonies, factories, and establishments of which Holland was in possession at the beginning of the last war, that is, on the 1st of January, 1803, on the seas and continents of America, of Africa, and of Asia, with exception of the Cape of Good Hope, and of the establishments of Demerara, Essequiro, and Berbice, possessions which the high contracting parties reserve to themselves the right to dispose of by a supplemental convention, which will be negotiated hereinafter, conformably with the mutual interests of both parties and in particular respect to the stipulations contained in articles 6 and 9 of the treaty of peace concluded between His Britannic Majesty and His most Christian Majesty on the 30th of May, 1814."

By the first of the additional articles to the same treaty, and in compensation for the payment of certain sums which Great Britain took upon herself, "the sovereign prince of the Netherlands consents to cede to His Britannic Majesty the Cape of Good Hope, and the establishments of Demerara, Essequibo, and Berbice; but on condition that the subjects of his said Royal Highness, the sovereign prince, being proprietors in the diverse colonies or establishments shall have (saving the regulations which may be agreed upon afterwards by a supplementary convention), the power to navigate and traffic between the said establishments and the territories of the said sovereign prince in Europe."

With these foundations, there could be determined without difficulty the limits between Venezuela and British Guiana, if there existed treaties of demarcation between Spain and the Netherlands like those which Spain negotiated with Portugal in 1750 and 1777; because, although they were not carried into execution, they at least traced, sometimes specifically, and at others generally, the points of the demarcation.

But, this not having taken place, it is necessary to seek in the political history of the two countries the extension of their rights.

Above all, it is necessary to repeat that Spain was the first discovering nation of the New World, and that in the year 1499 Captain Alonso de Ojeda, accompanied by Americo Vesputio, discovered Guiana. In 1500 Vicente Yanes Pinzon, companion of Columbus, found the principal mouth of the Orinoco. In 1531 Diego de Ordaz navigated this river, penetrating as far as the mouth of the river Meta. To the discovery succeeded the occupation, especially by means of missions, charged with propagating the light of the gospel.

Soon the spirit of rivalry, and the desire of participating in the advantages acquired by Spain, who continued her establishments in both Americas, induced other nations to imitate her example. Especially in Guiana there attracted attention the supposed existence of a country so abundant in gold that it was called El Dorado. Among the expeditions directed thither there came some Dutch.

The Netherlands could not make occupation against Spain, of which they were a dependency. Although other nations had recognized them, Spain did not do so till the year 1648, by the treaty of Munster. In article 3d it was agreed that each party should remain in possession and enjoy effectively the countries, cities, places, lands, and seigniories which they had and enjoyed then, without being disturbed or molested in them, directly or indirectly. In article 5th it was stipulated to maintain the navigation and traffic of the East and the West Indies according to and in conformity with the concessions made, or that might be made in future; and that the King of Spain and the States, respectively, should remain in possession and enjoyment of these seigniories, cities, castles, fortresses, commerce, and countries of the East and West Indies, as also in Brazil and on the coast of Asia, Africa, and America, respectively, which the said King and States had and possessed. According to article 6th, in relation to the West Indies, the subjects and inhabitants of the kingdoms, provinces, and lands of said King and States, respectively, had to abstain from navigating and trafficking in all the ports, places, and markets garrisoned with forts, places of exchange (lonjas), or castles, and in all the others possessed by the one or the other party, so that they might respect their rights mutually.

Therefore, if the actual state of possession was recognized, it was from that time prohibited to alter it by new advances, because this would evidently violate the treaty.

It is well to recall that the treaty concluded at Utrecht on the 13th of July, 1713, between Great Britain and Spain, and by which the latter bound herself not to sell, cede, pledge, transfer to the French or to other nations, any lands, dominions, or ter-

ritories of Spanish America, or any part of them, or alienate it in any manner from herself or from the Spanish Crown, imposed upon Great Britain the following obligations: "And on the contrary, in order to preserve more entire the dominions of Spanish America, the Queen of Great Britain promises that she will solicit and give aid to the Spaniards, in order that the ancient limits of their dominions in America be restituted and fixed as they were at the time of the aforesaid Catholic King Charles the Second, if it should be found that in some way or under some pretext they had suffered any dismemberment or fracture after the death of the said Catholic King Charles the Second."

Such treaty constitutes a perfect guaranty in favor of the establishment of the limits of the Spanish possessions in America at the time of the death of Charles the Second. So Great Britain could neither consent that the Spanish colonies on this continent should be lessened, nor avail herself of the usurpation of others. On the contrary, it imposed upon her the duty to aid Spain, as every guaranty does, in preventing new advances and in invalidating the old ones, counting from said death which occurred in the year 1700.

Even putting aside such obligation, the usurpations which the Dutch States may have committed on the possessions of Spain could not produce valid results, since the so-called right of conquest being abolished, only the will of the State expressed in treaties of peace is considered as origin of legitimate acquisition.

Well, now, although the Dutch prosecuted their system of increasing their possessions in America in violation of what was agreed in the treaty of Munster, there exists no act by which Spain acknowledged such augmentations.

On the contrary, it is an indubitable fact that she always opposed them, many times availing herself of arms, by which she drove the intruders from various parts.

Even when on some occasion she did not accomplish her object, this would prove the insufficiency of the means employed, but not the right of the one who may have had the best part in the encounter.

Far from there being proofs of the acquiescence of Spain in the advances of the Dutch, there can be presented an act of incontestable evidence, and which possesses all the more force since it is bilateral and at the end of the past century.

In fact, on the 23d of June, 1791, a convention was negotiated between Spain and Holland, to deliver up mutually the deserters and fugitives of their American colonies, signed at Aranjuez. In the preamble it is expressed that the contracting parties have been moved by the reiterated complaints of their respective colonies in America, and by the desire to cut up by the roots those complaints, considering it opportune, in order to accomplish that, to conclude a convention by which there be established the reciprocal restitution of their deserters and fugitives between their respective colonies.

The first article is of the following tenor:

"There is established the reciprocal restitution of fugitives, white or black, between all the Spanish possessions in America and the Dutch colonies, particularly between those from which the complaints of desertion have been more frequent, viz: Between Puerto Rico and San Eustaquio, Coro, and Curaçoa, the Spanish establishments on the Orinoco and Essequibo, Demerara, Berbice, and Surinam."

Spanish Puerto Rico is opposite to Dutch San Eustaquio, Spanish Coro is opposite to Dutch Curaçoa, and the Spanish establishments on the Orinoco are opposite to the Dutch establishments in Essequibo, Demerara, Berbice, and Surinam.

After determination so explicit, it is not conceived how Great Britain, successor of Holland, can pretend, not only to pass the Essequibo, but to affirm that before and at the time of the celebration of the treaty of Munster the Dutch were in possession of the mouths of the Orinoco.

If such thing were true, the treaty of extradition just mentioned would have modified such a condition, and made the Dutch retrocede to the Essequibo. By the one or the other road we are conducted to the same point.

Neither is there room to suppose that from the year 1791 to the year 1814, in which the cession was made to England by the Netherlands, the latter may have acquired new territories by prescription.

One of the great difficulties of international prescription is the determination of the number of then requisite to the effect. Nobody has authority to establish, as in civil matters, that it may be a period more or less long, and the most that has come to be admitted between nations is immemorial prescription, the origin of which has been lost in its antiquity. On the other hand, the prescription would not have the qualities it requires—to possess in the character of master, in a manner continuous, without interruption and principally without violence. The increase of the Dutch colonies in Guiana could only be the result of force employed against the prohibitions of the treaty of Munster, and in open opposition to that of Aranjuez, of 1791, resisted incessantly by the governor of Guiana with the approbation of the mother country (metropoli), and therefore incapable of changing the state of things.

Before the treaty of Munster, in 1648, the Spaniards had occupied the Essequibo.

Thus in 1596 they immediately drove the Dutch from it who pretended to cross it. At the end of the last century the Spanish Government confirmed in all its parts, by a royal order of the 9th of March, 1780, the instruction given by the intendant general of Venezuela, in which were established rules to people the province of Guiana and to occupy lands.

It is there declared, in the first place, that it was of the most importance to secure the limits of said province, which commenced at the windward of the fall of the river Orinoco into the sea, on the border of the Dutch colony of Essequibo; that the Dutch colony of Essequibo and others of the States general on that coast were commonly situated on the margins of the rivers in contiguity with the shore of the sea, without penetrating much into the interior of the country, and that in consequence, at the back of the Essequibo and other Dutch possessions running to the east as far as French Guiana and to the south as far as the river Amazon, the country was in part unenbarrassed by them, and only occupied by heathen Indians and a large number of fugitive negro slaves of the Dutch; that the commissioners should procure to occupy said lands as belonging to Spain, their first discoverer, and not ceded afterwards nor occupied at the present day by any other power, or that might have the right to do it; advancing in the occupation, as much as might be possible, as far as to touch French Guiana and extending themselves also as much as they could to the southern part, until arriving at the limits of the crown of Portugal; that the occupation of the lands in all those parts had to be made as part of the same province of Guiana, and in the name of the governor and commandant thereof, as its chief and head by disposition and appointment of His Majesty.

The official commissioner, José Felipe de Insiarte, as the result of his commission, submitted to the intendant, on the 27th of November, 1779, a report wherein he gives an account of the situation of things, and of the remedies which appeared to him adequate. He found that the Dutch had in Moruca a post, although insignificant, since it only consisted of two dismantled cannons with some swivel-guns; and he recommended, however, for the security of the new settlements which might be made, the dislodgement of the Dutch from said post. He indicated also the convenience of building a town in its neighborhood, obtaining thereby, besides other advantages, the prevention of the communication which the Dutch had through the caños with the river Orinoco; since, not having other passage, they would find themselves compelled to enter by the mouth which the Caño Guaina has at the sea. He indicated that the first town which it might be desired to found, under the name of *San Carlos de la Frontera*, should be built on the eminence of a hill situated on the left bank following the Caño Bauruma, not distant from the Essequibo by land more than 12 or 13 leagues, being dominated by its advantageous situation, not only the lands which surrounded it, but also said Caño of Bauruma.

When the Spanish Sovereign had knowledge of the result of the commission, he decided that the same Insiarte should return with the charge of occupying and peopling the places which he specified in his report, and to make the two small provisional ports that he considered necessary, the one to protect from the insults which the Dutch of Essequibo might attempt against the town to be founded, as he proposed, near the small bay which the small river or ravine Moruca makes at a distance of a quarter of a league from the post or guard which the Dutch had advanced about 18 leagues from the Essequibo in the direction of the Orinoco, situating said port on the site which might be most elevated, and which should dominate the place which the town and its surroundings might occupy, and the second fort, of four to six cannons, on the same small bay of said river Moruca, in order to prevent the passage of any hostile vessel; driving off the Dutch from the said post or advanced guard which they have constructed there, it being well understood that if the director-general or governor of Essequibo should complain of this action, the answer has to be that the proceeding in the matter has been, and is, according to the laws and general instructions of the good government of our Indies, which do not permit such intrusions of foreigners in the Spanish dominions as are those; since the same will be given here, if the States General of Holland should present any complaints or claims.

In a new report, of the 5th of December, 1783, the same Insiarte concludes by recommending the occupation of the post of the Dutch on the banks of the Moruca, which they had abandoned on account of the French having empowered themselves of the colony of Essequibo, and he insists on the formation of a town, "since in this manner will be attained the prevention of the inhabitants of said colony from entering on the lands which lie between them and the Orinoco."

What precedes agrees in every point with article 1 of said treaty of Aranjuez, which, in 1791, declared the Dutch establishments of Essequibo, Demerara, Berbice, and Surinam to be frontiers of the Spanish establishments on the Orinoco.

It is to be recalled, by the way, that Spain founded various missions between the Orinoco and the Essequibo, some very near the latter river; and that, although they do not exist at the present time, this in no manner diminishes the rights of that monarchy transmitted to Venezuela.

Neither does it better the cause of the Dutch that the post of the Moroco, which was constructed against the prohibition of the treaty of Munster and of which the treaty of Aranjuez, in 1791, did not take notice, was not destroyed as Spain ordered.

The same prohibition was applicable to Great Britain; so that she could not, neither when she possessed Dutch Guiana, without having it ceded to her nor after it had been transferred to her in 1814, advance her pretensions at the cost of those of the Spaniards.

By the treaty of Madrid, concluded on the 18th of July, 1670, between Great Britain and Spain, it was agreed in article 7th "that the most serene King of Great Britain and his heirs and successors shall enjoy, have, and possess forever, with full right of sovereignty, property, and possession, all the lands, provinces, islands, colonies, and dominions situated in the West Indies, or in any part of America, which the said King of Great Britain and his subjects have and possess at present; so that, neither by reason of this nor under any other pretext, any other thing can or ought ever to be pretended, nor any controversy be moved from now henceforth."

Article 8 is of the following tenor:

"The subjects and inhabitants, merchants, pilots, masters of vessels, and mariners of the kingdoms, provinces, and lands of both Kings, respectively, shall abstain and keep from trading and navigating to the ports and places where there may be fortresses, mercantile warehouses, or castles, and to all the others, which the one or the other party occupies in the West Indies; that is to say, the subjects of the King of Great Britain shall not direct their commerce or navigate to the ports or places which the Catholic King has in said Indies, nor trade in them; and reciprocally the subjects of the King of Spain shall not navigate to the places which the King of Great Britain possesses there, nor trade therein."

Now, as regards the Indians of this continent, it is known that no European nation considered them as States, and therefore there has been no obstacle to occupying the lands which they possessed. Even respecting the United States, which purchases the lands from them, the most modern publicists are of opinion that they have a legitimate and unquestionable right of dominion over all the lands occupied by the Indian tribes situated on the frontiers of the thirteen States—founders of the Republic.

It has been recently decided there that the Indians residing within the limits of the United States are subjects of its authority, and that, when the country occupied by them is not within the limits of one of the States, the Congress can, by means of a law, punish a crime committed therein, be the delinquent an Indian or white man.

An act of Congress of the year 1872 declares that no nation or Indian tribe within the territory of the United States shall be recognized as an independent nation, tribe, or power with whom the United States may conclude treaties. But the treaties anterior to March 3, 1871, are not annulled, nor is the protection of the Indians in the territories which they hold relinquished.

It is proper, besides, to bear in mind that "everything included in a country pertains to the nation; and, as nobody but it, or the person in whom it has deposited its rights, is authorized to dispose of these things, if it has left uncultivated and desert places in the country, nobody has a right to take possession of them without its consent.

"Although it makes no actual use of them, nevertheless these places belong to it; it has interests in preserving them for future use, and is not responsible to any person for the manner in which it makes use of its property."

This paragraph of Vattel appears to be written for Venezuela and the other American Republics, as all of them possess large portions of land not yet cultivated or peopled, but which are necessary for their future development and security. For this same reason there is no territory to-day in America which may be considered a *despota* and to be susceptible of occupation by foreigners.

In the time of the Great Colombia the matter of boundaries did not come to be treated of. But in the instructions given to the plenipotentiary in London, Señor T. Rafael Revenga, on the particular, the following was said to him by the minister of exterior relations:

"I may be permitted, however, to call your attention particularly to the second article of the project of treaty on the point of boundaries. The English possess at present Dutch Guayana, on which side they are our neighbors. You will agree as exactly as possible on fixing the division line of the one and the other territory, according to the last treaties between Spain and Holland. The colonists of Demerara and Berbice have usurped a great portion of land which, according to those, belongs to us, from the shore (lado) of the river Essequibo. It is absolutely indispensable that said colonists either put themselves under the protection and obedience of our laws or retire to their old possessions. To this intent they will be given the necessary time, as is established in the project."

Neither was the matter renewed after the separation of Venezuela until the year 1841.

On the 13th of January the British consul, General O'Leary, informed this ministry that Mr. R. H. Shomburgk had been appointed to ascertain and mark out the limits of English Guiana.

In the communication the assent of the Republic is not asked, as was just; since Great Britain could not decide the question by herself alone, nor put up marks where she might approve.

But besides this, Mr. O'Leary added that the governor of British Guiana had orders to resist any aggression against the territories near the frontier, occupied hitherto by independent tribes.

Here it is notable on the one hand that the English Government should constitute itself voluntary protector of the Indians; that it should consider them independent, and that it should avail itself of the opportunity of giving notice of the sending of an engineer to report on that menacing attitude.

In vain the Government of Venezuela proposed the celebration of a treaty, and as a consequence of it, a joint demarcation.

As the cooperation of this country was not counted upon, the English geographer arrived at the place of his destination, made surveys, drew maps, penetrated into Venezuelan territory, and produced the notable excitement which is known under the name of the events of Barima. The most conspicuous fact was that of forming a sentry boy, and fixing the British flag, royal monograms, and other signs of possession, nothing less than, at the mouths of the Barima and the Amacuro. This was to exercise acts of jurisdiction in places evidently situated within the dominions of Venezuela, and to deprive her of her rights over the mouth of a river so important as the Orinoco; that is to say, to empower Great Britain of the commerce, which Venezuela and New Granada might carry on by those waters.

It is just to mention that Lord Aberdeen, in the name of the English Government, gave an explanation of such acts, and in the end agreed to order the removal of the marks.

Before that, and urged by the claims of public opinion, the administration had sent Señores Licentiate José Santiago Rodríguez and Juan José Romero as confidential agents to Demerara, with the charge of investigating the origin and motives of the act of Amacuro; to make to the English authorities all the explanations proper upon the true limits of Venezuela and English Guiana; to complain of the violence with which they had proceeded, not only by putting up marks in this territory without communicating the object, but introducing themselves into it, in disregard of the jurisdiction of the Republic, and to ask that the flags and signs placed at the mouths of the Amacuro and the Barima, and at any other place, might be removed; to protest in case of not being heeded in the reclamation against acts which offended the dominion of Venezuela, depriving her of a large space of her territory without other form than that of force. In case of finding a disposition in the governor of Demerara, it fell to the commissioners to agree upon the limits. They were kindly received by the governor, who, informed of the objects of their mission (*envío*), manifested to them that he had not authority to enter into a negotiation of limits, a matter which he believed should be treated of between both Governments directly. As to the marks, he said that they were fixed by Mr. Schomburgk, in accordance with a communication from Lord John Russell, in which he recommended to the governor, conformably with the desires of Lord Palmerston, to put himself in accord with that engineer for the demarcation, but that it was not an act of appropriation, a determination of the presumed limits.

In the writing of Lord Palmerston alluded to, he recommended to the secretary of state in the colonial office that he should have a map drawn of British Guiana, conformably with the limits described by Mr. Schomburgk; that the map be accompanied by a descriptive memorial of the natural features which define and constitute those limits; that a copy of such map and memorial be sent to the Governments of Venezuela, of Brazil, and of the Netherlands as an exposition of the British pretension; that in the meantime British commissioners be sent to erect posts on the land, with the object of marking out with permanent marks the limits pretended by Great Britain. This done, each one of the three interested Governments could oppose its objections, expressing the grounds of their opposition, and the English Government could give the answers which might appear to it proper and just.

This system offers no small inconveniences, the first of which is that it gives one only of the interested parties the right to decide, although it may be temporarily, a question common to all of them, thus implying the superiority of the right of one over that of the others. It is known what value that has which has been done first, and more when it is executed by a great and powerful nation. Above all others, this is the way to invert the order of things; for, whenever there are disputes between equal parties, to none is it permitted to enter into possession of the disputed object; and, if boundary is treated of, the examination of the titles of each contestant, and the decision of the point by mutual accord, has to precede.

The efforts began by Señor Fortique in 1841, not only with urgency, but even with importunity, to induce the British Government to enter upon the negotiation of the treaty, did not produce for a long time any effect.

It was said to Señor Fortique that there was no urgency; that things could remain

as they were; that reports had not arrived, etc., all of which manifested the intention of deferring the decision of the point, whilst its termination was called for in Venezuela.

At last, on the 31st of January, 1844, that is, after three years of continual efforts, Señor Portique obtained the opening the negotiation which, till then, had moved so painfully.

That minister began by bringing to memory the commission given to Mr. Schomburgk, and the complaints of Venezuela on account of his having entered into the territory of the Republic, fixing posts at his fancy, and elevating flags (pabellones), which by express order of Her Majesty were removed, and he cites afterwards the incessant efforts made from 1841 to initiate as soon as possible the negotiation of the treaty, which should fix definitely the division line of both countries.

He proceeds then to observe that it concerned the party who raised the question to take the first steps toward the treaty, but attributing the delay to occupations of the Government of Her Majesty, and manifesting the greatest confidence in its good faith, spirit of conciliation, and sentiments of justice, he proceeds to present some indications.

He alleges the title of first occupant and discoverer of the New World in favor of Spain, as it had been recognized by all the nations, and particularly in the territory of Guiana, over which she exercised acts of jurisdiction, and where she founded towns and established missionaries who might propagate the light of the gospel in such manner that, in 1591, the enemies of Spain found towns to ruin and priests to persecute.

He proves that, notwithstanding the sufferings of war, the fame of the gold of those places, their rich woods, and the facility of enslaving the Indians, excited cupidity, and were the cause of diverse expeditions. One of them was that of Sir Walter Raleigh, who wrote that the Spaniards possessed then the Orinoco and all its surroundings; that they occupied the rivers Barima, Moroco, and Pumaron; that their domination extended to the Essequibo; and that, according to the document which he found in possession of the governor, Antonio Berrio, they had taken again solemn possession of those lands, in the name of the King of Spain, on the 23d of April, 1593.

He invokes the testimony of the Hollander, John de Laet, who is in accord with Raleigh respecting the finding of the Orinoco, the Moroco, and the Pumaron occupied by Spain before 1648.

He appeals to the treaty of Munster, concluded in that year, which was the time when Spain recognized the independence of the Netherlands, and wherein it is stipulated that the parties should retain what they had possessed till then, without it being lawful for them to aspire to territories occupied by the other.

So, the Dutch not having then any point on the other side of the Essequibo, they had no power to pass over this line without violating an express pact.

He adduces the argument that the sovereigns of Spain considered that they had a right as far as the Amazon, as is seen in the Spanish-Portuguese treaty of 1750, by which His Catholic Majesty and His Most Happy Majesty guaranteed to each other their mutual possessions in South America, and established that the obligation on the part of Portugal extended from the Amazon to the margins of the Orinoco on the one and the other side. The same thing results from the Royal Order of 1768, which gives the Atlantic Ocean for the limit of Guiana to the east, and the Amazon to the south.

He cites Martens in confirmation that the peace of Munster did not take anything from Spain, of whom the Portuguese were subjects, over whom the Dutch had made their conquests in the Indies, during the long war of their revolution against Spain.

He next proceeds to establish, as an unquestionable thing, that the Essequibo has always been considered as the division line between the two possessions, without Spain having on account of this abandoned her rights beyond said river.

He brings to his support La Condamine, the English geographer Norie, author of the chart of the coast of Guiana, whose words are so notable. "British Guiana," says he, "extends itself from the Corawine to the northwest as far as the Essequibo." This was the true extension of the colony, settled between the Spaniards and the Dutch by the treaty of Munster in 1648, and which never from then has been revoked. He adds the testimony of Bellin, an engineer of the marine and of the depository of plans, Royal Censor of the Marine Academy, and of the Royal Society of London.

He abstains from accumulating innumerable citations with which he might prove by the authority of the learned men who have occupied themselves with the matter, that the land comprehended between the Essequibo and the Orinoco has been considered in the world as the exclusive property of Spain; and neither does he recur to her writers, notwithstanding their being the fountain most abundant in texts favorable to Venezuela, above all because the right of Spain as discoverer and first occupant established, and what was stipulated in the treaty of Munster, it falls to the

Government of Her Britannic Majesty to show (*persuadir*) that the Dutch possessed legitimately or that Spain approved their usurpations.

Señor Fortique, instead of this, finds the ejection of the Dutch from the Essequibo in 1596; and even at the middle of the anterior century the perseverance of the Spaniards to molest them, particularly on the Pamaron and the Moroco, and to expel them from there as intruders violating an express pact; and this not by private authority, but by order of the kings of Spain, in the terms which have been stated before, so that such attacks, orders, and solemn declarations repelled all idea of consent on the part of the Spaniards to the usurpations of the Dutch, without which consent not even prescription could be pretended, which is founded on the presumption of the owner having abandoned his right.

He did not omit to mention that some modern travelers, as Depont and Humboldt, designated Cape Nassau on the coast, and the Essequibo in the interior, as the boundary between the Spanish and British Guianas, and that, perhaps in relation to them, the Governor of Demerara had supposed (*opinado*) that the river Pamaron, on the west of the Essequibo, could be taken as the boundary for the colony. But he took care to observe that such travelers had done nothing but to divide the country conformably to the material possession, without pretending to decide the questions of right; besides that, Humboldt refers to the chart of Mayor F. Van Bouchenoeder, a Dutchman, who formed it by order of the commission of the colonies and possessions of the Republic of Batavia, and who also dedicated it to him; and as to Dupont, he declares definitely that the Dutch had advanced posts in violation of the primordial treaties.

Finally Señor Fortique makes a merit of the obligation imposed upon Great Britain by the treaty of Utrecht to aid Spain as much as might be of her part, in order to the reestablishment of the ancient limits of her American territories as they existed at the time of the Catholic King Charles the Second; and he proposed the Essequibo, a river formed by nature as for the purpose of establishing a division line capable of removing all ulterior motive of misunderstanding, since nothing, or almost nothing, was then occupied by the British colonies between it and the Orinoco, their plantations being on the other side, and such line securing to Great Britain the remotest rights which might belong to her as the successor of Holland.

On the 30th of March Lord Aberdeen answered.

He says, in the first place, that the Government of Her Majesty, in consenting to the removal of the marks, did not cede any of the rights which it might consider itself authorized to claim in the future, and that it had been moved solely by friendly deference to the requests of the Government of Venezuela.

He repeats afterwards the exposition of Señor Fortique as to ask if he has understood it well, and to justify the surprise which he says it caused him, and he manifests a doubt whether it had been made with the desire to promote a friendly settlement of the question, as had been declared. In another part he expresses the opinion that negotiations are not facilitated by presenting claims which are not intended to be sustained seriously. It is a gratuitous supposition for which no foundation is discovered in the correspondence.

Without denying that the American continent was discovered and in a great part primitively occupied by subjects of Spain, he notes this allegation as being foreign to the point discussed, forgetting that if it is true, and that Guiana was one of the countries discovered and occupied by Spain before any other nation, her right excludes that of the others.

He agrees that the treaty of Münster established that the Crown of Spain and the States-General should continue possessing all the points in Asia, Africa, and America, which at that epoch each of the two parties might occupy, including especially the establishments of the Company of the West Indies.

But he affirms that, according to De Laet, cited by Señor Fortique, the Dutch navigated the river Orinoco from 1580 with the object of establishing themselves at the points not occupied by the Spaniards, and that in 1581 the States-General conceded to certain individuals the exclusive privilege of trading with those establishments; that, as it is said, there existed at the end of the same century in Middleburg a company of merchants who traded with the river Barima; that in every manner it is certain that in 1621 a body of merchants, under the title of the West India Company, obtained from the States-General the privilege to carry on exclusively the trade with America, and to govern any new colonies which it might acquire, the said States reserving to themselves the appointment of the governors; and that Hartsinck, the most veracious historian of Guiana, affirms more than once that the limit of the possessions of this company on the west was the river Orinoco; that the Dutch establishments were extended as far as the Orinoco results from a document in which said company donated to Count Ferdinand Casimir de Houvin a portion of the lands of its possessions on the coast of America, and in which the Orinoco is mentioned as the western limit of them—a document of 1669, only twenty-one years posterior to the treaty of Münster. Lord Aberdeen adds that in 1667 the Dutch, the forts of New

Zealand and New Middleburg, in the first of which the Spaniards were defeated in 1797; that to the new company, successor of the anterior one dissolved, was given the right to carry on the exclusive commerce to a part of Africa, the island of Curaçoa and the colonies of Essequibo and Boneverone (Pomaron), the last extending itself to the Orinoco; that the historian, Bolt, of the past century, extends Dutch Guiana from the mouth of the Orinoco at the ninth degree to the Marowaine at 6° 20' of southern latitude; that in the map of Faden, 1783, the Orinoco is fixed as the western limit of the Dutch, according to their pretension; that in that of Jeffries, of 1798, the Barima is described as forming the division of the Dutch and the Spanish lands. Lord Aberdeen believes that these authorities, although English, ought not to be rejected; because, although in 1798 the Dutch colony was under the protection of Great Britain, it was devolved upon the Republic of Batavia in 1802, and there is no reason to doubt their testimony and to censure them as partial; which can not be said of Condamine, Bellin, and other French writers, whose Government always showed itself jealous of the progress which the Dutch made in the neighborhood of its establishment of Cayenne. Which argument, of much force toward considering the Orinoco as the western limit of the Dutch possessions, and as occupied from the very beginning militarily and with continued possession, appeal is made to the testimony of Hartsuick, who says: "The first rivers which are met with in Dutch Guiana, coming from the Orinoco, are the Barima, about a mile in width, where in times past we had a fort." It is added that from documents of the Company of the East Indies it appears that its directors recommended to the commandant of Pomaron that he should keep in good order the fort of Baruma, the remains of which were found in 1807 by Colonel Moody, and of which Mr. Schonburgk also perceived vestiges. From all, Lord Aberdeen deduces the assertion of Señor Fortique to be erroneous, respecting the Essequibo being held as the division line between the two countries, and the territory situated between this river and the Orinoco as the exclusive property of Spain—in which the minister of Venezuela did not even reckon with the support of his fellow-citizens—seeing that in her maps recently published the extreme limit claimed for the same is the Moroco. Great Britain then, successor of Holland, could claim to the Orinoco; a claim which, putting aside the question of right, would be less prejudicial to Venezuela than is to England the pretension to the Essequibo, on account of the Republic not having any establishment in that territory, whilst the admission of the limit of the Essequibo would involve at once the delivery of the half, more or less, of the colony of Demerara, including Point Carabao and the island of Kykoveral, where the Dutch founded their first establishment on the Mazaruni; the missions of the Barlika Grove, and many foundations or establishments which exist actually on the Arabisi coast as far as 50 miles from the capital.

This is the argumentation, these the objections of the British Government. They can be reduced to three classes: (1) Acts of concession by the United Provinces; (2) maps of English authors; (3) acts of occupation by the Dutch; (4) maps of Codazzi; (5) grievances resulting from the acceptance of the line of the Essequibo.

As is discovered at first view, the allegations of the British Government lack solid foundation. That which it concerned it to prove was that the Dutch were in possession at the time of the treaty of Munster, in 1648, of places situated between the Orinoco and the Essequibo, and it has not proved it. It concerned it to prove that in some treaty of Spain and the United Provinces the legitimate possession of the Dutch in said places was recognized; and it has not presented any. Venezuela, besides all that she can oppose to the acts of usurpation of the Dutch, adduces a solemn bilateral act—the convention of extradition of 1791—in which Spain and Holland had affirmed by common accord the Spanish establishments on the Orinoco, and the Dutch on the Essequibo—Demerara, Berbice and Surinam—that they are frontier colonies. This treaty by itself alone destroys the structure (armazon) of the defense, and shows an irresistible force, and which many and many acts confirm.

Certainly the Dutch endeavored (trataron) to introduce themselves from 1580 into some points on the Orinoco, and the States-General conceded privileges to trade with establishments never formed; as in like manner to carry on with Barima an illicit traffic, but at the time when the Dutch began such incursions on the Orinoco the Spaniards already occupied and peopled both shores of the same, and had, in consequence, the sovereignty of its mouths, as in 1540 they founded the first city of St. Thomas.

The other acts invoked by Lord Aberdeen are posterior to the treaty of Munster, in 1648. They constitute evident violations of its clauses, and so can not serve as foundation for any right. This refers to the establishments of the Pomarón and the Moroco, and to the attempts to fix themselves on the Cuyuni and the Barima, to all which the Spaniards opposed themselves, even by force, in a persistent manner.

In 1757 the commandant of Guiana sent a detachment on the Cuyuni, by which the post was destroyed which the Dutch had occupied at 15 miles from the mouth of this river, making prisoners of the Dutch, the Indians, and the slaves who were there.

In the year following was also destroyed the barrack which the Dutch had in the island of Caramacuro in the same river, and at a little distance from the Essequibo—capturing its defenders.

In 1768, the Dutch, knowing that the cruising launches of Guiana penetrated by the river Barima, abandoned the post.

Before and after that year there were seized on the Barima as well as on the Orinoco various Dutch vessels, on account of being found in the dominions of His Catholic Majesty without a permission to traffic; and there was destroyed the post or guard-house which was on the eastern bank of the Barima, and all their small plantations.

In 1780, the King of Spain ordered the small Dutch fort on the Moroco to be destroyed, another one in a more commodious place to be built, and that a series of villages as far as the neighborhood (inmediacion) of the Essequibo should be established.

In 1797, the Spaniards attacked the fort of New Zealand, although unfruitfully.

In 1769, the Dutch claimed the right, which they believed they had, to the fishery at the entrance of the Orinoco, and complained of the procedure of the Spaniards there established. Then were collected all the necessary data as regards the extension of the limits of the Dutch; data unfavorable to their pretensions, and the matter was passed to a report of the council. But the Dutch Government allowed more than fifteen years to pass without making any prosecution of the subject; wherefore it was believed that, better informed of the want of just motives for the claim, it had desisted from it. Presently came the treaty of 1791, which decided the question, recognizing the Spaniards as masters of the establishments of the Orinoco, and the Dutch as masters of those of the Essequibo.

The maps of English authors when the colonies of the Dutch were under the protection or in the power of Great Britain in 1798, must be rejected, as interested in the increment of such possessions, without its availing to educe that they were devolved upon the Batavian Republic in 1804; for those geographers could illy know that which should take place in six years later, and they proceeded undoubtedly, limiting themselves (absteniéndose) to the state of possession at the epoch of their publications. If they foresaw it, they might also foresee that in 1814 England would acquire definitively those places near the Orinoco.

As to the maps of Coronel Codazzi, it suffices to observe that, if they give the Moroco as the limit to Guiana on the coast, it is figuring the space comprehended between it and the Essequibo in a special manner and with the following note, "territory which is considered usurped by the English." As usurpation does not engender a right in favor of whom commits it, the proof turns itself contra producentem.

To deliver up territories in which populations have been founded can not help (dejas) producing grievances; in that all the world is in accord. But the convenient is not the right, neither can it be confounded with it. He who has occupied a thing not his own remains with the obligation to restitute it whenever it is demanded of him, and to indemnify all the damages consequent upon the illicit act. Otherwise it would be to draw profit from it, which is opposed to all idea of justice, and contradicts the notions of property as well of the civil law as the law of nations. The vices which the possession of Holland had in those places, have been transmitted to her successors, the English.

The English Government itself is not sure of the true extension of British Guiana. If, in 1841, its commissioner, Schomburgk, put up signals of dominion at Barima, on the 26th of May, 1836, its legation at Caracas had requested of the Government of Venezuela that it would put light-houses and other signals at Punta Barima, and buoys in the great mouth of the Orinoco to guide the navigators.

The governor of Demerara, in a dispatch of the 1st of September, 1836, "Parliamentary Papers," said that the River Pomarón to the west of the Essequibo might be taken as the limit of the English colony.

In September or October, 1840, an Englishman, who had killed an Indian was arraigned (encausado) in Demerara, and the defendant having proved that the act was committed on the Caño Moroco, the tribunal of the colony declared itself without jurisdiction because the crime was consummated in foreign territory.

When, on the 23d of August, 1841, the governor of Guiana, Señor Florentino Grillet, made report of this to the Government, as also of the existence of the remains of the palisades of the fort which the Spaniards established on said river, without doubt one of those ordered to be raised by Don Felipe de Inciarte in 1780.

Lord Aberdeen manifested to Señor Fortique that he believed the map of Schomburgk to be exaggerated, especially on the Cuyuni, where the pretensions did not recognize more foundation than convenience; and he added that notwithstanding the labors of that engineer, the English Government did not know the interior land of Guiana.

However, he offered to Señor Fortique as a concession a line which, modified afterwards, remained thus: "Beginning on the coast at the river Moroco, it ran to the point at which the river Bazama unites itself with the Guainia; from there by the Bazama waters up to the Aunama, by which it would ascend to the place at which

this rivulet comes nearest to the Acarabisi; descending by said Acarabisi to its confluence with the Cuyuni, it would follow up this last water until it reaches the highlands in the neighborhood of Mount Roraima, at which the waters which flow to the Essequibo are divided from those which run to the river Branco." Lord Aberdeen, who made the proposition, concluded by saying: "Great Britain is disposed, then, to cede to Venezuela all the territory which is found between the line already mentioned and the river Amacuro and the chain of mountains in which it has its beginning, on the condition that the Government of Venezuela obligates itself not to alienate any part of said territory to any foreign power, and also on condition that the tribes of Indians which reside at present in it be protected against all maltreatment and oppression."

The demarcation was not accepted, not only because it differed from that which belongs to Venezuela, but also for its appearing that a part of what she claims as her own is ceded to her; and that with a restriction which diminished the natural facilities of any owner. Instructions were given to Señor Portique to manifest to the English Government the judgment here formed of its proposition, and to present convenient modifications; but he did not come to execute this charge on account of his death. The negotiation remained thus suspended for many years; for in the interval from 1844 to 1876 nothing appears done by one or the other party.

However, there have been exchanged from time to time some communications respecting the matter of those limits between the ministry of exterior relations and the British legation at Caracas.

The most notable correspondence was that had at the end of 1850. Then, the chargé d'affaires, Mr. Belford Hustan Willson, wrote to this Government to inform it of the steps taken, with the object of contradicting the false rumors put in circulation about the intention attributed to Great Britain to empower herself of Venezuelan Guiana; he spoke of the intention had in it to put in a state of defense and to repair and arm the dismantled and abandoned forts, and to build one at Punta Barima, whose right of possession he said was in dispute. He mentioned also his having given an account to his court of the project of the law introduced in the chamber of representatives and by which the executive was authorized to construct immediately a fortress on the point which serves as limit between Venezuelan and British Guiana without designating which it should be. He called the attention of the Government to these facts, and after having declared in the name of his that it had no intention to occupy or to usurp the disputed territory, and could not see aggressions upon it with indifference, asked that the Government of Venezuela should make, on its part, an analogous declaration. The President of the Republic acceded to the instance; and from it a communication was at once made to the governor of Guiana, with the order not to take any measure which might infringe the obligation which in this manner the Government had contracted.

From 1876 the illustrious American has endeavored to terminate the question of boundary, the settlement of which is of supreme importance to Venezuela. In November of that year this ministry addressed to that of foreign affairs of Great Britain two vigorous notes, one upon the demarcation of the respective Guianas, and the other respecting the right of property of the islet of Patos, regarding whose dominion neither does there exist accord. The former was concluded by manifesting that confidence in the justice of Her Majesty induced the hope that the solution of that question, already delayed for so many years, would be a work of the most prompt and cordial convention.

On the 16th of February, 1877, Lord Derby acknowledged the receipt of both communications and of that concerning the election of Dr. José Maria Rojas to the office of minister resident in London, and supposing that he had brought instructions respecting the matters of said notes, he limited himself to say that his Government would always be glad to receive and consider very attentively any representations which the Government of Venezuela might believe appropriate to address to it through Señor Rojas or the minister resident of Her Majesty at Caracas.

On the 13th of February, 1877, Señor Rojas promoted the termination of the negotiation initiated by Señor Portique; and recalling the proposition of Lord Aberdeen, he explained its not having been accepted: (1) Because very prejudicial to some establishments of Venezuela in that region, and having been offered as a concession of Great Britain and not as a claimable right; and (2) because there is united to the proposition the condition not to alienate to any foreign power, at any time, any part of the territory ceded, which alienation is prohibited by the constitution of Venezuela, but which, imposed by a foreign State, appeared depreciatory of the independence and sovereignty of the Republic. He then expounded her conciliatory ideas, and made mention of the existence, in possession of the Government, of documents probatory that the eastern limit of the Spanish possessions on the coast was the Essequibo. Before taking resolution on the particular, the English cabinet desired to hear the governor of British Guiana, who was expected in London in March of that year.

Señor Rojas did not touch again, in his correspondence with this ministry in 1877, the matter of boundary, which gave occasion for an observation to him, made in December, about his silence. In 1878, with his resignation of the office, accepted in the month of February, he could not continue his efforts.

But the legation being re-established in 1879, and confided to the same Señor Rojas, he wrote on the 19th of May to Lord Salisbury, urging him for the termination of a question which had thirty-eight years' standing, and which was made more important on account of the discovery of great deposits of gold in Guiana. He intimated that the line of strict right, or one of convenience, could be accepted; and, for the last case, he requested the English Government to present its propositions of adjustment, in the view that the Government of Venezuela would not vacillate in admitting a demarcation by which there should be conciliated—within the possible—the interests of the Republic.

On the 10th of January, 1880, Lord Salisbury answered that to discuss the legal question would not conduce to a satisfactory result; that he preferred the other alternative presented—that is, the point of convenience or accommodation; that the limit claimed by the Government of Her Majesty by virtue of ancient treaties with the aboriginal tribes and by subsequent cessions from Holland commences at a point at the mouth of the Orinoco to the west of Punta Barima; follows from there in a southern direction to the mountains of Imataca, whose line it follows to the north-west, passing from them by the high lands of Santa Maria, precisely to the south of the village of Upata, until it touches the ridge of the eastern bank of the Caroni, following by that to the south until it reached the great spine of the district of Guiana, the mountains of Rozaima of British Guiana, and from there still to the south to the mountains of Pacaraima.

Lord Salisbury, combating the assertion contained in the message of the President of Venezuela in 1877, respecting her proprietorship to the Essequibo, remarks that that limit would involve the abandonment of a province inhabited in 1880 by 40,000 British subjects, and which has been in the uninterrupted possession of Holland and Great Britain successively for two centuries.

Lord Salisbury finds so diverse the two pretensions that he does not believe an agreement possible without considerable concessions from each party. And he affirms that, although in no case will the pretension of Venezuela to the Essequibo be admitted, the British Government is disposed to approach that of Venezuela in a spirit of conciliation, and to cede part of the territory which it considers strictly its own if Venezuela was really disposed to make corresponding concessions on her part. He will receive, therefore, and take into consideration in the most friendly spirit whatever proposition the Government of Venezuela may believe it convenient to make to him for the establishment of a satisfactory boundary for the two nations.

On the 12th of April Dr. Rojas informed Lord Salisbury that he was authorized to adjust the matter, abandoning the ground of strict right, and coinciding with the Government of Her Majesty in adopting a frontier of mutual convenience. To this effect he asked whether it was disposed then, as it was in 1844, to accept the river Moroco as frontier on the coast. He was answered on the 23d of the same month that the attorney-general of British Guiana was expected in London within a short time, and that it was preferred to postpone the discussion of the matter until his arrival.

Up to the 27th of September nothing more was said to our minister, which moved him to an urgency, in which he recalled the disposition of Venezuela to accept the Moroco as the basis of a friendly demarcation.

The expected attorney did not arrive at London till November, and on the 29th Señor Rojas was told that he would be answered soon.

On the 12th of February, 1881, Señor Rojas was informed that the Government of Her Majesty could not accept the mouth of the Moroco as the limit on the coast; but that it was ready to consider any conventional limit which Venezuela might propose, and which should commence at a point on the coast most northern (en un Punto de la Costa mas septentrional), and it would be glad that a general indication of his ideas should be made not only respecting that point, but also the general line of the frontier.

Nine days afterwards Señor Rojas answered. He began with a résumé of the state of the question. He considered it under two faces, that of right and that of accommodation. He recalled the last exposition of the British pretension, and that of Venezuela to the limit of the Essequibo. He brought into collation the spontaneous proposition of Lord Aberdeen. And he proceeded to present, as testimony of the conciliatory desires of Venezuela, a line which should commence on the coast a mile to the north of the mouths of the Moroco, where a post should be fixed. Through said point there should be drawn a meridian of longitude to the point at which this line should cross the longitude of 60° from Greenwich, and from there the frontier should run to the south along said meridian of longitude to the confines of both countries. In case of the English Government not accepting such demarcation, there remained no other recourse but arbitration, and Señor Rojas urged it, adding that the controversy re-

specting the island of Patos might be included in the same. Señor Rojas had expressed before that, by virtue of titles, official documents, and geographical maps, and of all the proofs most incontestable in law, the frontier between both Guianas commences at the mouths of the river Essequibo, ascending its waters to its confluence with the rivers Rupumuni and Rewa to the eastern extreme of the ridge of Pacaraima, and that, in consequence, all the immense territory occupied at present by the Government of Her Britannic Majesty within the said limits belongs to Venezuela.

On the 15th of September, 1881, Lord Granville refused to accept the line of demarcation suggested by Señor Rojas as a satisfactory solution of the dispute.

Being anxious, however, to meet the views of Venezuela he manifested himself to be ready to agree on the line described in an accompanying memorandum, and which would leave to the Republic the complete dominion of the mouths of the Orinoco, while it would give, in the interior, a limit convenient and conformable to the natural physiognomy of the region.

In making the proposition it is observed that, when the Government of Her Britannic Majesty consents to make to Venezuela a concession so important, it is not because it agrees, in any manner, that it lacks legitimate title to the line which extends to the mouth of the Orinoco, but because it is moved by the sincere desire to bring to an end a question which for too long a time has remained undecided, with damage to the interests of both countries. There is accompanied a map, drawn according to the originals of Schomburgk, in order to make known the exact portion of the limits proposed in a memorandum adjoined to the note, with the observation that the entire line, except the part situated between the source of the Amacuro and the coast of the sea was surveyed by the same engineer in 1837. In conclusion, Señor Rojas is invited to confer personally, in order to discuss the propositions contained in the memorandum.

In this, which the note elevates as *confidential*, the demarkation of Señor Rojas is said not to be acceptable, first, because it comprehends territories and establishments acquired with legitimate titles of Dutch or British origin; second, because it would divide the many rivers and creeks and declivities (derrames) in a manner productive of lasting inconveniences for both countries; and, besides, it would be impracticable to maintain a line sufficiently defined, with the perpetuation of the actual embarrassments and, for the colonial government, of particular difficulties, above all those relative to the aboriginal tribes who never have recognized other than British authority; third, because it would put within the territory of Venezuela the outlets of the internal system of waters, which, commencing in the center of the region of the Essequibo, flow across a network of rivers and creeks to the sea and enter into the ocean by the Guainia and the Barima, channels over which the colonial government should have authority for the convenient administration of justice and repression of crime in British Guayana; and, fourth, because the portion of territory situated between the Moroco and the mouth of the Orinoco was, before and at the time of the celebration of the treaty of Munster, in possession of the Dutch, as any impartial person who examines the archives will recognize.

However, on account of the importance of the settlement, and with a spirit of conciliation, the English Government says that it puts aside some of its rights, and proposes a frontier which satisfies the reasonable pretensions and exigencies of Venezuela, and avoids the occasion of ulterior disputes; that that line cedes to the Republic the so called Dardanelles of the Orinoco, the complete dominion of its mouth, and about the half of the disputed territory, whilst it secures to British Guiana a natural limit, well defined along almost all its course, except in the first 50 miles of the interior, where it is necessary to fix an arbitrary limit in order to put Venezuela in undisturbed possession of the mouths of the Orinoco; that this line is also such that it does not usurp any territory actually peopled or occupied by Venezuela, and that the difference between it and the one indicated by Señor Rojas is not very considerable; and, finally, that the Indians and others would understand it running along the Cuyuni from its origin to its junction with the Acarabisi, and by this to its head, and thence by the mountains which, in a direction from the north, extend themselves to the sea.

Here is the line:

"The initial point will be fixed at a place on the maritime coast at 29 longitudinal miles precisely to the east of the right margin of the river Barima, and from there it will be carried to the south over the top of the mountain or hill called in the original map of Schomburgk Hill of Tarikita, at the eighth parallel of north latitude; thence to the west along the same parallel of latitude until it cuts the frontier line proposed by Schomburgk and laid down on said map, following from there the limit by its course to the Acarabisi; by this to its junction with the Cuyuni; thence by the left margin of the river Cuyuni to its source, and from there in a direction southeast to the line which Schomburgk proposed as far as the Essequibo and Corentin."

Señor Rojas communicated this proposition to the Government of Venezuela, saying that he would limit himself to advising the receipt of it until instructions should arrive from this ministry.

It has occupied itself with interest in the examination of the transaction proposed, and finds that it is absolutely not acceptable.

The boundary of Venezuela begins at the mouth of the river Essequibo, follows by it south to $4^{\circ} 12'$ of north latitude in the middle of the mouths (desembocaduras) of the Siberona and of the Rupumuni; crossing then the Essequibo, it continues to the east, and afterwards to the east $\frac{1}{2}$ southeast, over the top of the mountain chain of Tumucuracque, inclining itself to the southeast until it reaches $2^{\circ} 10'$ of south latitude and $56^{\circ} 4'$ of west longitude, where that of Acaray unites with it, and where the Chiriguanas Indians inhabit.

If this boundary be compared with that indicated by the British Government the enormous distance which separates the one from the other will be perceived at first view. Besides this it offers itself to the following observations:

Great Britain has never made known the titles which serve as support to her pretension, and it is impossible that they can come out victors from the contrast with the advocates of Venezuela.

Great Britain had limited herself before to invoke the rights transmitted to her by the Netherlands. Now, for the first time, she makes mention of ancient treaties celebrated with the aboriginal tribes. She does not say whether they were negotiated by the Dutch or English. According to what is read in paragraph second of the memorandum it appears that they were the English. In effect, a segregation of lands is there spoken of, which, for a long series of years, have been possessed with legitimate title, of Dutch or British origin, recognized by the Government.

What tribes these are; what are the lands acquired from them; how they have transferred them, not having the characters of free and independent nations; and when in the third paragraph of the memorandum it is affirmed that the tribes of aboriginal Indians have never recognized other than British authority; at what time those acquisitions have been effected, constitute so many other subjects of debate, above all, in order to place in its true light whether such things could have been done in a manner compatible with the aforesaid treaties of Munster and those of guaranty of the Spanish possessions in America by the British Crown.

It, without saying why, replaces its proposition of 1844 (made spontaneously by Lord Aberdeen) with another much more grievous to Venezuela, as if the mere course of time should change the nature of things, or as if the delay (aplazamiento) of a question, owing to the slowness of the English Government, with forgetfulness of the importunities of Venezuela, should better the condition of the litigant who has been the author of the delays.

This proceeding agrees badly with the repeated protestations of the spirit of conciliation of the British Government in order to approach the views of Venezuela.

Another fact contrary to the purpose is that of offering, and requesting that it should be offered, not to occupy or usurp any part of the disputed territory, whilst Great Britain continues in possession of establishment situated on this side of the Essequibo, which is the boundary claimed by Venezuela.

From which it results that it is not permitted to her to occupy what England disputes, but the latter does not leave the places the devolution of which are claimed (as reivindicar) by Venezuela.

The causes which Lord Granville alleges for not agreeing to the pretension of Venezuela are not considered admissible. They are reasons of internal convenience, applicable if common properties should be treated of, which might have to be divided between copartners, with subjection to determinate ends, and consulting the advantages of each party; but not if what is treated of is to mark out the limits of contiguous territories in conformity with the rights which the neighbors prove.

The terms themselves of the last proposition labor under obscurity, because instead of specifying the places by which the line passes, it is described in some with reference to the indications of Schomburgk, which may have been made to the British Government, and which it should know, but of which Venezuela remains ignorant.

Here is the occasion to repeat what Lord Aberdeen said to Señor Fortique, to wit, that his Government did not know the interior of Guiana, and that the demarcation of Schomburgk, principally on the Cuyuni, did not recognize more reason than convenience.

If the line proposed is advantageous to Great Britain, it is in no manner so to Venezuela. Besides its taking no account of the rights of Venezuela, it penetrates to places very proximate to the mines which are worked, from which would come considerable mischiefs.

The English Government judges that the capital point for the Republic is the possession of the mouths of the Orinoco, and that it secure it by the proposition made; but it is forgotten that England, retaining affluent rivers of the Orinoco, she leaves

subsisting a nursery of difficulties, in which it is likely that her opinion may prevail as that of a power superior in force to Venezuela.

The demarcation indicated does not embrace all the frontier between the two countries, but only a part of it, since it has already been seen that the line should be carried by the course of the Essequibo, ascending its waters to the mouths (desembocaduras) of the Siberoma and of the Rupumuni to the confines with French and Dutch Guianas, and it should join, besides, the boundary of Venezuela with Brazil. From which it results that any demarcation between British and Venezuelan Guiana which has not all the required extension will not be complete, nor will extinguish that fountain of discontents.

The English cabinet agrees to the necessity of the prompt settlement of this most ancient question, and it concerns Venezuela to bring to memory that she has been promoting its termination from 1814, and that her constant efforts have not been reciprocated, for not only has she been told that it was better to leave things as they were, but motives have been alleged to delay for years the answer to the urgencies of the Republic.

In the meantime there have been facts which more and more show the necessity of a prompt settlement. Such are the advance of missions, which the colony of Demerara advances on the Orinoco and the Caroni; the entry of British vessels into the mouth of the Orinoco; the coming of expeditionists to the lands of the mines without coming to the capital of the State and taking permission from its authorities; projects of opening roads to places in Venezuela; counsels to the Indians to make them retire from some to others; questions of jurisdiction over offenses committed in territory which each party looks upon as its own, etc.

From what is said it is concluded that it is impossible to adjust the contention by the mutual accord of the interested parties, so much the more so as by the constitution of the Republic it is prohibited to alienate its territory; and therefore it has been stipulated to submit to the arbitration of Spain the question of boundary with Colombia.

It remains, then, to declare to Great Britain that Venezuela does not accept the proposition made by Lord Granville on the 15th of September, 1881, because of the reasons pointed out in this memorandum; to withdraw every proposition of accommodation or convenience, and to enter fully upon the point of right, in order to put more and more beyond doubt that which assists the Republic to claim the limit of the Essequibo, which the President sustained in a solemn manner in his message of the 20th of February, 1877, with synthetical proofs.

CARACAS, *July 15, 1882.*

[Inclosure 4 in No. 565.—Translation.]

Mr. Seijas to Mr. de Rojas.

C.

MINISTRY OF EXTERIOR RELATIONS,

CARACAS, *July 15, 1888.*

SIR: With reference to your note of the 22d of March, No. 7, I am ordered by the President of the Republic to communicate to you, and through you to the Government of Her Britannic Majesty, that the proposition to adjust the question of boundary between Venezuelan and English Guiana, made on the 19th of September, 1881, and accompanied by a memorandum and an explanatory map, has been diligently examined, as a matter of such importance requires.

Whilst the President esteems the conciliatory spirit manifested by the Government of Her Majesty, he finds the indicated line unacceptable at every point, which line, if it does not literally put the mouths of the Orinoco in the hands of Great Britain, leaves affluents to her which discharge their waters into it, which penetrates a long distance, seeking the heads of divers rivers, and approximating the mining lands, which does not extend to all the districts in which the territories of the two States should be bounded, and which, without mentioning the motives for the difference, is less favorable to Venezuela than that offered spontaneously by Lord Aberdeen to Señor Fortique.

The constitution of the Republic, by its article 12, prohibits all alienation of any part of its territory.

As this extends to the Essequibo according to the grounds contained in the annexed memorandum, and it is impossible to conciliate the British pretension with the rights to which Venezuela has succeeded from Spain, the Government can not enter into an accommodation of any sort. There does not, therefore, remain open other road—fol-

lowed already in a similar and recent case with the United States of Colombia—than that of submitting the dispute to the decision of a third power, in character of judge of strict justice. So the President proposes this, with so much the greater confidence in the acceptance of the measure on the part of Great Britain, as it has been the object of the recommendation of her Parliament, of her Government, and her publicists, as very proper for the termination of international disputes, and her Britannic Majesty has put in practice several times. Here, moreover, stands good the special reason of Lord Aberdeen having repeatedly presented it to Señor Fortique for the solution of the same difficulty which occupies me.

I am, etc.,

RAFAEL SEIJAS.

Señor Dr. JOSÉ MARIA DE ROJAS,
Minister Plenipotentiary of Venezuela, London.

[Inclosure 5 in No. 565.—Translation.]

D.

FOREIGN OFFICE,
London, September 15, 1881.

MR. MINISTER: The Government of Her Majesty has carefully considered the proposals contained in your letter of the 21st of February last, for the adjustment of the boundaries between the colony of British Guiana and Venezuela.

I have now the honor to say to you in reply that it does not feel able to accept the line of demarcation indicated in that letter as a satisfactory solution of the question; however, it anxiously desires to approach, in good faith, the views of the Government of Venezuela, and with this object it is ready to agree on the line indicated in the adjoined memorandum, which will leave to Venezuela the complete dominion of the mouths of the Orinoco, whilst it will provide a convenient boundary in the interior, conformably to the natural physiognomy of the country.

When it proposes a line which makes so important a concession to Venezuela, the Government of Her Majesty desires to explain that it must not in any manner be understood that it admits that it has not legitimate title to the line which extends to the mouth of the Orinoco, and that the proposal is made solely from the sincere desire to put an end to a question which has too long remained undecided, with detriment to the interests of both countries. A map is inclosed—drawn up in conformity with the originals of Schomburgk—and which presents the exact situation of the boundary proposed in the annexed memorandum; and I observe that the entire line, except that portion situated between the source of the Amacuro and the sea coast, was ascertained by Schomburgk long ago—in 1837.

In conclusion, I have the honor to say that the Government of Her Majesty will be glad to confer with you personally if you think it desirable to communicate with it in this manner, to the end of discussing the proposals which are contained in the memorandum which accompanies this letter.

With the highest consideration, I have the honor, sir, to subscribe myself your most obedient servant,

GRANVILLE.

Señor DON JOSÉ MARIA DE ROJAS.

[Inclosure 6 in No. 565.—Translation.]

E.

[Confidential.]

MEMORANDUM ON THE QUESTION OF BOUNDARY BETWEEN BRITISH GUIANA AND VENEZUELA.

1. After careful consideration of the proposal made by the minister of Venezuela for the adjustment of the boundary between British Guiana and Venezuela, the Government of Her Majesty is of opinion that it could not accept the line proposed by him without grave damage to British Guiana.

2. It considers that the following objections are some of the most notable ones which oppose the division of the territory by such a line as the one suggested by Señor Rojas: The proposed line would separate from the colony existing establish-

ments and lands which during a long series of years have been possessed with legitimate title of Dutch or British origin, recognized by the Government. The acceptance of the proposed line would also involve the abandonment of a greater portion of territory to which Great Britain has an impregnable title than any to which it could reasonably accede, even with the object of putting an end to this old question.

3. Moreover, the line proposed by Señor de Rojas offers practical difficulties, which to the Government of Her Majesty appear insuperable. The meridian of 60° of longitude intersects and would divide the numerous rivers and creeks and the different declivities in such manner as would cause durable inconvenience to both countries. It also believes that it would prove impracticable to keep such a boundary line sufficiently marked or defined, and thus, and in a sharp manner, the evils which are now felt would be perpetuated. The colonial government would remain exposed to all the special difficulties which would originate in consequence, more particularly with respect to the tribes of aboriginal Indians who never have recognized other than British authority.

4. Besides this, the line proposed by Señor de Rojas locates within the territory of Venezuela the waters of that system of interior waters which, beginning in the center of the region of the Essequibo, run across a network of rivers and creeks to the sea, and enters the ocean by the Waini and the Barima. It is by way of these channels that fugitive offenders put themselves in a position to mock inquiry, and for the due administration of justice and repression of crime in British Guiana it is essential that the colonial government have authority over these outlets.

5. With regard to the portion of the territory which is situated between the Moroco and the mouth of the Orinoco, the Government of Her Majesty believes that no impartial person, after studying the archives, can escape the conviction that before and at the time of the celebration of the treaty of Munster (1648) the Barima was indubitably possessed by the Dutch, and that consequently the right of the Government of Her Majesty to the territory above that point is incontestable.

6. But it judges the prompt adjustment of this ancient question of limits to be so important for the well-being and material progress of the colony of British Guiana that it appears to it to be very desirable to put aside some of the rights of Great Britain, if that can be done without grave damage to the colony and contributes to the adjustment.

7. With this object, and in a spirit of conciliation, the Government of Her Majesty has thought to indicate a boundary which, whilst it gives due protection to the interest of British Guiana, will be such that it recognizes the reasonable pretensions and exigencies of Venezuela, and cuts off the occasion of subsequent disputes.

8. It is, then, disposed to submit the following frontier line, which it considers conformable to every reasonable exigency of Venezuela, at the same time that it secures the interests of British Guiana.

The initial point will be fixed at a situation on the seacoast precisely 29 longitudinal miles to the east of the right bank of the river Barima, and from there it will be carried to the south over the top of the mountain or hill called on the original map of Schomburgk Hill of Iarikita, to the parallel of 8° of northern latitude; from there to the west along the same parallel of latitude till it cuts the frontier line proposed by Schomburgk and laid down on said map; pursuing from there the boundary in its course to the Accarabisi, by the latter to its junction with the Cuyuni; from thence by the left bank of the river Cuyuni to its source, and from thence in a southeastern direction on the line which Schomburgk proposed as far as the Essequibo and Corentyn.

9. This boundary will abandon to Venezuela that which has been called the Dardanelles of the Orinoco. It will give to Venezuela the entire domination of the mouth of that river, and give up about half of the disputed territory, whilst it secures to British Guiana a natural boundary, well defined, along almost all its course except the first 50 miles it makes within from the sea, where it is necessary to trace an arbitrary boundary with the object of securing to Venezuela the undisturbed possession of the mouths of the Orinoco; more yet, here is obtained the advantage of marking out natural limits, well defined. The Barima, enlaced, as it has been said, with the center of the region of the Essequibo, is also enlaced with the Waini by a channel through which the tide ascends and descends.

10. The boundary now proposed will be somewhat to the north of the junction of this channel with the Barima, thus locating these outlets within British Guiana, and putting the colonial government in a position to exercise efficacious vigilance over these means of communication with the interior of the colony. The high land referred to under the name of Mount Iarikita is the higher point of the declivity between the Barima and the Amacuro in that locality, and is near the ridge of hills marked on the aforesaid map of Schomburgk. The proposed line does not usurp any territory actually peopled or occupied by Venezuela, and the difference between the line proposed by the Government of Her Majesty and that proposed by Señor de Rojas with respect to the portion of territory most important for Venezuela is not very

considerable, whilst aught less than that would fail to secure to British Guiana the dominion of the entrances and outlets of its internal communication by water.

11. The indicated internal boundary is such that the aboriginal Indians and others would understand it well. All would promptly know that the boundary ran by the Cuyuni from its source to its junction with the Acarabisi, and from that point by the Acarabisi to its source, and from thence by the high lands which extend from there to the sea in a northern direction. A line so well marked would prevent many complications, and it is hoped that upon this ground and the others above expounded it will recommend itself to the acceptance of the Government of Venezuela.

[Inclosure 7 in No. 565.]

Mr. Baker to Mr. Seijas.

LEGATION OF THE UNITED STATES,
Caracas, October 20, 1882.

SIR: Your excellency's note of date July 15, 1882, respecting the disputed boundary between Venezuelan and British Guiana, together with accompanying documents marked A, B, C, D, and E, was received on the 20th of the same month—your said note and the documents marked D and E having been first received on the 17th, and the documents marked A and B having been first received on the 19th of the same month, and informally returned to your excellency for ratification.

I have given the matter of your said note and accompanying documents careful, assiduous, and laborious attention; and the same will be brought, in a proper and friendly manner, to the knowledge and attention of my Government by the next going steamer for the United States, which leaves on the 23d instant.

I avail myself of the occasion to renew to your excellency the assurances of my high consideration.

JERU BAKER.

His Excellency Señor RAFAEL SEIJAS,
Minister of Exterior Relations.

No. 10.

Mr. Camacho to Mr. Frelinghuysen.

[Translation.]

WASHINGTON, January 15, 1883. (Received January 15.)

SIR: I beg to call your attention to the following facts in reference to the question of the boundary between Venezuela and the British colony of Guiana, which virtually amounts to the actual possession of the Orinoco River and the dominion of the whole interior of Venezuela and a part of Colombia and Ecuador.

On the 21st day of December, 1880, I had the honor to represent to your Department that the English authorities in Guiana were taking steps to continue their encroachment upon the Venezuelan territory, with the ultimate view of establishing the power of Great Britain on the principal mouth of the Orinoco River to control its navigation, a fact tantamount at least to the exclusive commerce of that mighty river, whose tributaries extend over the whole northern part of South America, and even to Brazil towards the south.

A mere inspection of the map will convince any casual observer that the Orinoco, by its geographical position, its length, the abundance of its waters, and its numberless tributaries, is, as I have before now had the honor to say to your excellency, more important to South America than is the Mississippi River to the United States.

Mr. Evarts informed me (January 31, 1881) that in view of the deep interest which the Government of the United States takes in all transactions tending to attempted encroachments of foreign powers upon the territory of any of the Republics of this continent, his Government could not look with indifference upon the possible acquisition of any such territory by England.

And at the close of his incumbency of the office he wrote (February 28, 1881), "I have to advert to the interest with which the Government of the United States can not fail to regard any such purpose with respect to the control of American territory as is stated to be contemplated by the Government of Great Britain."

I can assure your Excellency that the Government of Venezuela was fully satisfied with the determined attitude of the United States to oppose any forcible occupation of our country, and also that they considered the two above-quoted notes from your Department as a valuable pledge, not only for Venezuela, but for the American world.

It is quite unnecessary for me to say that Venezuela, whilst trying to protect her actual rights over that portion of her territory, is not only defending her independence, but likewise the future of that section of South America which is clearly reserved, as by a providential dispensation, to be the emporium of that other America, to which the Spanish discoverers applied the name of *El Dorado*, in contemplation of its natural greatness and inexhaustible resources, and your Excellency is aware, no matter how sad it is for me to say it, that my country can never afford the means to stop Great Britain in her progressive encroachments toward that land of the future which is wholly controlled by the Orinoco from the English island of Trinidad and from the English establishment of Guiana.

That such mission exclusively belongs to the diplomatic action of the United States, is evident; in the present juxtaposition of the nations of the world, I could not name any other who could effectually intervene to settle this question, notwithstanding its universal importance. Even France, the once mighty rival of Albion, will disregard the action of the latter, moved, as she is, by the interests created for her in our Atlantic shores by the Panama canal scheme, for the progress of which she could find no better basis of operations than some of our magnificent ports. A similarity of interest would produce similar action.

To carry this controversy to a practical ground and possible termination, there is, in the opinion of the President of Venezuela, only one and at the same time very simple way—arbitration.

And for arbitration there is only one Government who could propose it with real effect and decide the question of boundaries to the satisfaction of Venezuela—the United States of America.

And if I may be allowed to add, there is, in the estimation of my Government, no man better qualified than your excellency for the fulfillment of so highly important a mission.

I deem it an honor to propose it to your excellency, and I entertain the hope of receiving an early favorable answer to transmit to Venezuela.

Please accept, etc.

SIMON CAMACHO.

No. 11.

Mr. Frelinghuysen to Mr. Baker.

No. 203.]

DEPARTMENT OF STATE,
Washington, January 31, 1883.

SIR: Your dispatch No. 565, of the 21st of October last, has had careful attention. You therewith transmit the notes and documents which have been communicated to you by the secretary for foreign affairs, Señor Seijas, relative to the dispute between Venezuela and Great Britain touching the boundary between Venezuela and British Guiana, and call attention in particular to the passages in Señor Seijas's note to you of July 15, 1882, where he says that "Venezuela now invokes good intelligence with the United States in search of some means which may contribute to the just termination of her question of boundary with British Guiana," and further that Venezuela "submits it [*the question*] to the Government of Washington, with the hope of hearing on the particular its opinion and counsel."

In the instruction which was sent to you the 15th of July, 1882, and which, therefore, was not known to Señor Seijas when he addressed to you his note of the same date, the sentiments of good will borne by the United States toward Venezuela were expressed as freely as might be done consistently with a perfect reserve of impartiality as to the merits of the question in dispute, and that instruction closed by saying that "if Venezuela should request it, we will propose to the Government of Great Britain that the question be submitted to the arbitration of a third power."

It does not appear from your dispatch that you have communicated to Señor Seijas the intimation thus given in the Department's instruction of July 15, 1882; I infer, rather, that you have not done so, and that Señor Seijas now awaits the response of this Government to his letter to you of July 15, 1882.

You will say to Señor Seijas that pursuing the course of unvarying impartiality, which it is the aim of the United States to maintain toward the States of the American continent, whether with respect to their differences among themselves or their disagreements with transoceanic powers, it is felt that we can not undertake to advise Venezuela as to the action she should take in the premises, and the more so, as any advice which might look to a determinate solution of the controversy, either by counseling adherence to the claim put forth by Venezuela or by suggesting any particular line of demarcation as a compromise, could not be intelligently given without forming and expressing a decided opinion as to the justice of the respective contentions. This Government has already expressed its view that arbitration of such disputes is a convenient resort in the case of failure to come to a mutual understanding, and intimated its willingness, if Venezuela should so desire, to propose to Great Britain such a mode of settlement. It is felt that the tender of good offices would not be so profitable if the United States were to approach Great Britain as the advocate of any prejudged solution in favor of Venezuela. So far as the United States can counsel and assist Venezuela it believes it best to confine its reply to the renewal of the suggestion of arbitration and the offer of all its good offices in that direction. This suggestion is the more easily made, since it appears from the instruction sent to Señor Seijas to the Venezuelan minister in London on the same 15th of July 1882, that the President of Venezuela has

proposed to the British Government the submission of the dispute to arbitration by a third power.

You will take an early occasion to present the foregoing consideration to Señor Seijas, saying to him that while trusting that the direct proposal for arbitration already made to Great Britain may bear good fruit (if indeed it has not already done so by its acceptance in principle), the Government of the United States will cheerfully lend any needful aid to press upon Great Britain, in a friendly way, the proposition so made, and at the same time you will say to Señor Seijas (in personal conference and not with the formality of a written communication), that the United States, whilst advocating strongly the recourse of arbitration for the adjustment of international disputes affecting the States of America, does not seek to put itself forward as their arbiter; that, viewing all such questions impartially and with no intent or desire to pre-judge their merits, the United States will not refuse its arbitration if asked by both parties, and that, regarding all such questions as essentially and distinctively American, the United States would always prefer to see such contentions adjusted through the arbitrament of an American rather than an European power.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 12.

Mr. Baker to Mr. Frelinghuysen.

No. 638.]

LEGATION OF THE UNITED STATES,
Caracas, February 22, 1883. (Received March 8.)

SIR: Your dispatch numbered 203, of date 31st ultimo, relative to the dispute between Venezuela and Great Britain, touching the boundary between Venezuela and British Guiana, was received on the 18th instant. Upon carefully reading and considering it, it appeared to me that the most certain and accurate way of presenting to Mr. Seijas what I am therein directed to convey to him was to read the dispatch to him. I accordingly did so on the forenoon of the 19th instant. At first Mr. Seijas did not seem to fully and accurately comprehend the meaning of the dispatch, and some conversation followed in which I endeavored to make him understand it correctly. He indicated that he would see the President, inform him of the contents of the dispatch, and communicate with me on the subject. A few hours later he called at my house, and stated in substance that he had informed the President of the contents of the dispatch; that the President regarded it as a very important one; was much pleased with it; could not expect less from the American Government; was under great obligation to it on that account; and desired to see me, as soon as might be convenient to me, to talk with me on the subject, expressing at the same time a wish that I would bring said dispatch along with me.

I saw the President, in company with Mr. Seijas, on the afternoon of the 20th instant. Mr. Seijas read said dispatch to him, turning it into Spanish. The President indicated, in substance, that he was pleased with the attitude of reserved impartiality of the Government of the United States; that he objected to any European government as arbiter on the ground of incompetence or partiality; that the United States

only was free from objection, as having no debarring relation to Venezuela, * * * and that he had wished some advice or counsel from the Government of the United [States] looking towards a means of inducing Great Britain to accept the United States as arbiter.

In response to the preceding I said, in substance, that it would be improper for me to say anything in the way of qualifying, explaining, or enlarging what is said in your said dispatch, but that I would say for myself, as a thought which presented itself to me at the moment, that I did not see how the Government of the United States could properly do anything or take any step with the view of inducing Great Britain to accept it as arbiter; that the Government of the United [States] occupied an impartial position, and should be approached spontaneously by both parties. To the justness of this view I did not understand that the President suggested any objection. I understood him to express the opinion that if the United States should use its good offices in the way of recommending to Great Britain the arbitration of the question, that action would exclude the United States as arbiter. I understood him further to make a statement to the purport that he desired me to say to my Government that he accepted the suggestion of the United States, that the question be arbitrated, but that the United States was the only arbiter he would accept; whereupon I made a remark to the purport that I did not feel sure what bearing this statement might or might not have upon the continuing attitude of impartiality occupied by the United States, and that Venezuela must take the risk upon that point, adding some words to the effect that I made this remark, as also the preceding one (about my not seeing how our Government could properly take any action with the view of inducing Great Britain to accept it as arbiter), from an abundant feeling of delicate respect for the impartial attitude of the United States. Upon this the President expressed himself to the purport that he desired that the United States would do nothing which might impair its position of impartiality; indeed, I may add that I understood him to express himself in this sense quite positively.

The above presents the essential spirit and substance of the interview as well as I can recall it.

* * * * * *
I am, etc.,

JEHU BAKER.

No. 13.

Mr. Baker to Mr. Frelinghuysen.

No. 803.]

LEGATION OF THE UNITED STATES,

Caracas, December 29, 1883. (Received January 16, 1884.)

SIR: Referring to my No. 565, of date October 21, 1882, to my No. 638, of date February 22 last, to your dispatch numbered 203, of date January 31 last, and to your dispatch numbered 214, of date March 16 last, all relative to the matter of disputed boundary between Venezuela and British Guiana, I have the honor to inclose herewith—

1. A copy and translation of a note, of date 15th ultimo, from Mr. Seijas to myself, inclosing a copy of a note of same date from Mr. Seijas to Col. C. E. Mansfield, the British minister resident at this capital.

2. A copy and translation of said copy of note from Mr. Seijas to Col. O. E. Mansfield.

3. A copy of my note of this date, in response to said note from Mr. Seijas to myself.

The subject of this correspondence is the disputed boundary between Venezuela and British Guiana, and other matters; and it will be seen from it that the Government of Venezuela has proposed to settle said boundary question by arbitration.

It will also be seen that the Government of Venezuela has communicated *officially* to the French Government a proffer to this purport, as I understand it: First, to pay 400,000 francs down; second, to liquidate the balance with 3 per cent bonds of the diplomatic debt, or with monthly payments of 13,242 francs in place of the present monthly quota of 11,637 francs. I understand from Mr. Seijas that the said sum of 400,000 francs is merely the amount of the unpaid French monthly quotas which have been accumulating since the suspension of diplomatic relations between Venezuela and France.

I am, etc.,

JEHU BAKER.

[Appendix No. 1.—Translation.]

CARACAS, November 15, 1883.

MR. MINISTER: Fulfilling the orders of the illustrious American, President of the Republic, I have the honor of addressing your excellency on the subject of the boundary between her and British Guiana, in continuation of the correspondence heretofore taken place.

I will begin by manifesting to your excellency that until now the Government has not responded to the proposition of Great Britain made in September, 1881. The communication of this ministry for the ex-diplomatic agent of Venezuela at London, Dr. José Maria Rojas, in which arbitration is invoked, and of which a copy was communicated to your legation on the 15th of July, 1882, was only a project for consultation with the United States.

By means of his note of the 31st of January last, in which his excellency Mr. Frelinghuysen, Secretary of State of the United States, availing himself of the instrumentality of your excellency, answered the solicitation of Venezuela, arbitration is recommended as the method of solution most appropriate to the case; and the offer of the good offices of that country, to incline Great Britain to the acceptance of the same, is renewed.

It is incumbent on me on this occasion to inform your excellency, for the knowledge of the most excellent Government of Washington, that the President has followed that counsel, as is seen by the inclosed copy of the note written to the British legation at Caracas.

But this is the place to remember what the President expressed to your excellency at the end of February last in conference on the subject, to wit, that he had accepted arbitration from the time it was intimated by the United States, but in the conception that he could only admit the United States as arbitrator; that the end which he had promised himself in ordering a memorandum on the right of Venezuela, and a draft of an answer to be communicated to them, was to inquire how things could be so arranged that the appointment should result in the selection of them.

The President added that if he could count upon the acceptance of the United States as arbitrator on the part of Great Britain, he would not hesitate in immediately proposing arbitration for the decision of the dispute; that, on the other hand, for the United States to interpose, in order to induce the cabinet of Her Britannic Majesty to agree with Venezuela in arbitrating, would probably incapacitate them from being accepted by the other litigant, since it would believe them interested in her favor. He concluded by saying that he hoped that the United States would do nothing from which their incapacity to serve as arbitrator might result, now that they are the sole power in whose hands this Republic could rest, without inquietude, the decision of this grave controversy.

Mr. Camacho, the minister of Venezuela at Washington, was charged to have a conference on the matter with his excellency the Secretary of State and give him due thanks. It is supposed that his illness would not permit him to comply with those instructions.

I owe, then, to manifest to your excellency how satisfactory to the President has been the reception given to his application, and that the attention which the Government of Washington has deemed the friendly request of Venezuela to merit, demonstrates the interest it has taken in the matter. The expression of the preference with which it would seem that an American question, as this is, should be terminated through the medium of an American rather than of a European power, claims special gratefulness. At the proper time, the President much esteems the offer of the good offices of the United States, in order to recommend to Great Britain the acceptance of arbitration, and above all their disposition to take in their charge this arduous task in case of both parties requesting them.

It being supposed that the English cabinet may assent to this mode of deciding the dispute, which it was the first in proposing, with insistence, to Señor Fortique, the plenipotentiary of Venezuela, this Government will propose as arbitrator His Excellency the President of the United States. Of the course which the negotiation may take they will be kept instructed, not only as a duty of gratitude, but also if the desired case should arise of the question being referred to them.

I renew to your excellency, etc.,

RAFAEL SEIJAS.

[Appendix No. 2.]

Mr. Seijas to Colonel Mansfield, dated Caracas, November 15, 1883.
(Printed as inclosure No. 2, to Document No. 58, *post.*)

[Appendix No. 3.]

Mr. Baker to Señor Rafael Seijas.

No. 97.]

LEGATION OF THE UNITED STATES,
Caracas, December 29, 1883.

SIR: I have the honor to acknowledge the receipt of your excellency's note of the 15th ultimo, inclosing a copy of a note of date 15th ultimo, from your excellency to Col. C. E. Mansfield, the British minister resident at this capital, relative to the boundary question between Venezuela and British Guiana, and other matters.

As your excellency refers to statements of the President in an interview with me which took place on the 20th of February last respecting said boundary question, I judge it not amiss in this connection to recall that, among other observations which I made in that interview, I indicated that I did not see how the Government of the United States could properly do anything or take any steps with the view of inducing Great Britain to accept it as arbiter; that the Government of the United States occupied an impartial position and should be approached spontaneously by both parties.

Your excellency's said note and its inclosure will be brought, in a proper manner, to the knowledge of my Government by the next going mail.

I avail myself, etc.,

JEHU BAKER.

No. 14.

Mr. Frelinghuysen to Mr. Baker.

No. 271.]

DEPARTMENT OF STATE,
Washington, January 24, 1884.

SIR: I have to acknowledge your No. 803 of the 29th ultimo, in regard to the boundary dispute between Venezuela and British Guiana, and desire that you will thank the former for communicating the correspondence on the subject, which, during the pending of the negotiation with Great Britain, will be regarded as confidential and merely for our information.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 15.

Mr. Frelinghuysen to Mr. Lowell.

[Confidential.]

No. 907.]

DEPARTMENT OF STATE,
Washington, July 7, 1884.

SIR: Ex-President Guzman Blanco, of Venezuela, recently visited this city on his way to England and France, to which countries he has been accredited as a special envoy to endeavor to arrange certain pending questions between them and Venezuela.

At the solicitation of General Guzman, I had several conferences with him relative to the objects of his mission, in respect of which he desired to obtain the good offices of this Government.

The questions with Great Britain relate primarily to the dispute concerning the boundary between Venezuela and British Guiana, but besides this there is a question of negotiating for a readjustment of the commercial treaty provisions between the two countries. Behind these is the apprehension felt by Venezuela that the real motives of Great Britain are the acquisition of such territorial foothold at the mouth of the Orinoco and in Guiana as will enable England to encroach upon the fluvial rights of Venezuela in the Orinoco and the tributary basins.

As General Guzman will doubtless seek to confer with you on the subjects of his mission, it seems desirable that you should inform yourself touching the points which he may present to you. To that end I send you herewith transcripts of the correspondence on file here so far as it throws light on his objects.

The treaty question involves the power to terminate the existing engagements. There are two commercial treaties between Great Britain and Venezuela, dated, respectively, April 18, 1825, and October 29, 1834; the first being with the older Colombian Confederation. In neither of these is there any limit of duration fixed or any expression of the usual power of either party to terminate the treaty on giving notice of its desire to do so.

In the course of time Venezuela has found it expedient to denounce its commercial treaties with other nations under the usual reserved right, in order to readjust its revenue laws. One of the greatest difficulties which the Venezuelan Government has had to contend with has been the facility which the possession of contiguous territories and islands by foreign States offers to those who may seek to defraud the revenues by smuggling. The Republic has passed laws to guard against these abuses by imposing upon importations from the West Indian colonies a differential duty of 30 per cent in excess of the regular imposts and by surrounding the collection of those special duties with restrictive safeguards. As Great Britain claims the most favored nation treatment under her treaties, and as these may not be denounced without the specific acquiescence of Great Britain the recourse of Venezuela appears to be in the first instance to secure a favorable revision of the treaty stipulations under the fourteenth article of the Colombian treaty of 1825.

Such a favorable revision has already been secured by Colombia, in 1866, but the Venezuelan treaty remains unrevised, notwithstanding Venezuela's efforts to accomplish it.

The Venezuelan Government, as I understand General Guzman, is in hopes that by conceding some special commercial privileges to Great

Britain, a treaty no less favorable than the Anglo-Colombian treaty of 1866 may be concluded, with a clause to be admitted in the new treaty providing for a limited duration of from six to ten years, with option of denunciation thereafter on stipulated notice. It is also within the purview of General Guzman's instructions to endeavor to obtain from Great Britain some declaration of a purpose to respect the territorial integrity of Venezuela and the control of the Orinoco by that Republic. To these ends General Guzman asked my counsel and solicited the distinct good offices of the United States.

I told General Guzman that in view of our interest in all that touches the independent life of the Republics of the American continent the United States could not be indifferent to anything which might tend to impair their normal self-control. At the same time I doubted the expediency of endeavoring, at the present time, to exact any specific guaranties from Great Britain against an eventual policy of extending British influence in that region, as it might inconveniently attract attention to the matter and so perhaps precipitate what it was the evident interest of all to defer. So far as my observation went, I had never seen any disposition on the part of Great Britain to stipulate, in advance of a case arising, to forego any prospective or material advantage. The moral position of the United States in these matters was well known through the enunciation of the Mouroe doctrine, but formal action in the direction of applying that doctrine to a speculative case affecting Venezuela seemed to me to be inopportune, and I could not advise Venezuela to arouse a discussion of the point. * * *

We should be glad also to see an adjustment of the boundary dispute on equitable grounds.

It will necessarily be somewhat within your discretion how far your good offices may be profitably employed with Her Majesty's Government to these ends, and at any rate you may take proper occasion to let Lord Granville know that we are not without concern as to whatever may affect the interests of a sister Republic of the American continent and its position in the family of nations.

If General Guzman should apply to you for advice or assistance in realizing the purposes of his mission, you will show him proper consideration, and without committing the United States to any determinate political solution, you will endeavor to carry out the views of this instruction.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

[Inclosures with the foregoing.]

1. Mr. Camacho to Mr. Evarts. December 21, 1880. (See Document No. 2, *ante*.)
2. Accompaniment with the above. (See Document No. 2, *ante*.)
3. Mr. Evarts to Mr. Camacho. January 30, 1881. (See Document No. 3, *ante*.)
4. Mr. Camacho to Mr. Evarts. March 2, 1881. (Omitted.)
5. Mr. Carter to Mr. Frelinghuysen. November 31, 1881. (Omitted.)
6. Mr. Frelinghuysen to Mr. Baker. No. 169. July 15, 1882. (See Document No. 7, *ante*.)
7. Mr. Baker to Mr. Frelinghuysen. No. 565. October 21, 1882. (See Document No. 9, *ante*.)
8. Mr. Camacho to Mr. Frelinghuysen. January 15, 1883. (See Document No. 10, *ante*.)
9. Mr. Frelinghuysen to Mr. Baker. No. 203. January 31, 1883. See Document No. 11, *ante*.)
10. Mr. Baker to Mr. Frelinghuysen. No. 638. February 22, 1883. (See Document No. 12, *ante*.)
11. Mr. Baker to Mr. Frelinghuysen. No. 803. December 29, 1883. (See Document No. 13, *ante*.)

No. 16.

Mr. Baker to Mr. Frelinghuysen.

No. 1062.]

LEGATION OF THE UNITED STATES,
Caracas, December 4, 1884. (Received December 17.)

SIR: Referring to past correspondence relative to the boundary question between Venezuela and Great Britain, I write to say that in an interview with Señor Amengual on the 28th ultimo, and again on the 1st and 3d instant, I have been surprised to learn from him that his Government has information to the purport that some time in October of this year an English man-of-war visited the mouth of the Orinoco, and then proceeding to the eastward, put up signals of English possession at the same places, or about the same places, at which like signals of English possession were put up in 1841, and afterwards removed upon the remonstrance of Venezuela. I understand from Señor Amengual that his Government will make an early investigation of the actual facts of the matter, and take the same course, more or less, as was taken in 1841.

I am, etc.,

JEHU BAKER.

No. 17.

Mr. Frelinghuysen to Mr. Lowell.

No. 1051.]

DEPARTMENT OF STATE,
Washington, December 23, 1884.

SIR: With reference to my instruction No. 907, of the 7th of July last, to you, concerning the Venezuelan boundary question and General Guzman Blanco's visit to England, I now inclose herewith a copy of a dispatch to this Department from Mr. Baker, the American minister at Caracas, in regard to the alleged recent action of Great Britain in re-asserting her claim to the disputed territory.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

[Inclosure.]

Mr. Baker to Mr. Frelinghuysen. No. 1062. December 4, 1884. (Printed as Document No. 16, *ante*.)

No. 18.

Mr. Baker to Mr. Frelinghuysen.

No. 1077.]

LEGATION OF THE UNITED STATES,
Caracas, January 3, 1885. (Received January 22.)

SIR: Referring to past correspondence relative to the boundary question between Venezuela and British Guiana, I will say for the information of the Department that on Sunday, the 7th ultimo, Colonel Mans-

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field, the English minister resident here, made a call at my house, and speaking with reference to said question he said, among other things, in substance that he had a communication from his Government indicating that it was not disposed to arbitrate said boundary question. I asked him when this was and I understood him to answer in March last. I observed to him that this was a point of new information to me.

I am, etc.,

JEHU BAKER.

No. 19.

Mr. Soteldo to Mr. Bayard.

[Translation.]

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, D. C., March 31, 1885.

EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of the 25th of the current month, in which you ask me to call at the Department of State in order to consider the means of putting a satisfactory end to the claim of Mr. John E. Wheelock.

* * * * *

Besides the matter of that claim, I hope to give you information of the recent attempts of the British authorities to consummate the usurpation of a great part of Venezuelan Guiana in order to control the mouth of the river Orinoco, and therewith the most extensive navigable river system of South America, which begins there and reaches to almost all the countries of that continent.

With all consideration, I am, etc.,

A. M. SOTELDO.

No. 20.

Mr. Soteldo to Mr. Bayard.

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, April 29, 1885.

MOST EXCELLENT SIR: In my last interview with your excellency, which took place on the 17th instant, I reminded you of the form, constantly more dangerous and menacing, which is being assumed by the British plan of absorbing and appropriating a large portion of the territory of the State that was known, before and shortly after the political transformation and the triumph of our war of independence and the treaty of peace and recognition, both geographically and historically, as Spanish Guiana; until 1830 as Colombian Guiana, and since that year up to the present time (subsequently to the division of Colombia into three independent and sovereign republics) both *de facto* and *de jure*, as Venezuelan Guiana.

At the beginning of the explanation of the alarming steps that have been taken by the British authorities with a view to openly performing acts of jurisdiction within the territory of Venezuelan Guiana, now still more openly than has been done since 1841, in which year the survey and pretended topographical map of Schomburgk, which I then men-

tioned, were made, your excellency suggested the propriety of my preparing a brief list of the communications and instruments relative to this matter of the boundaries of Guiana which have passed between my Government and that of your excellency, in order that a speedy and satisfactory remedy of the difficulty might be reached, and that the list suggested by your excellency's Government might be laid before such impartial and friendly power as should be selected to arbitrate the question.

I shall now proceed to state the subjects and dates of the communications having most direct reference to the point now under discussion, remarking, at the outset, that my Government, in accepting the suggestion that an arbitrator be selected, does not think that any more suitable arbitrator could be found (without intending any disparagement to any one else) than the President of the United States of America, and that it, consequently, asks nothing of that officer that would disqualify him for the performance of that important task, which possesses the deepest significance for Venezuela, which country, although entitled to as much as any country can be, does not aspire to aggrandizing her territory by that which belongs to another, or to make other nations (least of all, powerful Albion) her tributaries. My Government does, indeed, aspire to having its rights respected, and the titles to the extension of its lands examined by one who can not fail to inspire confidence in the world at large as regards the rectitude of his decisions.

Your excellency will find Mr. Frelinghuysen's last note to Mr. Baker, which was read by the latter to Mr. Seijas in February, 1883; no copy of this note, however, was left with Mr. Seijas. You will also find an account of the interview had by the illustrious President of Venezuela with Mr. Baker on the 21st day of February, 1883, soon after the reading of the aforesaid communication from the Secretary of State.

It seems that the sole object of that note was to secure the acceptance of arbitration as a means of compromise, for the settlement of the controversy. It was a virtual reply to my predecessor's note on this subject of January 15, 1883.

Mr. Baker doubtless sent to your excellency's predecessor the communication from my Government of July 15, 1882, with inclosures relating to the nature of the controversy, and showing the traditional boundary of what is now known as Venezuelan Guiana, which, as long ago as 1595, was defended by Spain (from which country we derive our title) against the incursions of the Dutch, from whom the English derive their title as far as the Essequibo, which is now the western boundary of the English, as it formerly was of the Dutch.

The communication in question must likewise be accompanied by Lord Granville's note to our minister at London, dated September 15, 1881, and by a memorandum which explains everything connected with the boundaries of our Guiana.

The first communication addressed by my predecessor to Mr. Evarts, of December 21, 1880, recites the incursion of a British man-of-war and of a British sailing vessel. The crews of these vessels erected telegraph poles without permission from Venezuela. The note also gives a brief account of the chorographical attempt made by Schomburgk, the English engineer, with the alarming circumstance of his erecting certain posts in the district of Barima, bearing the inscription "Victoria Regina," which gave rise to our complaints, which, since that time, have been laid before the cabinet of St. James.

I call your excellency's attention to the map which was presented by my predecessor to Mr. Evarts on the occasion of the interview which

he had with the latter January 3, 1881, and also to the notes of the Department of State to this legation bearing date of January 31 and February 28, 1881, the former of which was a reply to that of the 21st of December previous, and the latter of which expressed confidence that the matter would be favorably considered by the incoming Administration. The recent invasion of our territory, and the arrest and arraignment of an officer of my Government before the colonial authorities of Demerara, a British dependency, the posting of notices, and the erection of posts, whereby an attempt was made to secure some shadow of a title to our soil, together with various acts looking to the arbitrary absorption of our territory, while they alarm our people and impose imperative duties upon my Government, render indispensable the adoption of some measure for the protection of our Guiana and of the vast interests which are now, in the natural course of advancement, accumulating in that extensive region of the public domain of Venezuela.

My Government, which heartily desires to follow the path that may be marked out for it by the great Republic of the North, hopes that nothing will be done that can disqualify that Republic from arbitrating with absolute independence in the matter, deciding concerning the rights of the two nations, and fixing the line which is to divide the controverted territory and possessions according to the evidence that may be produced, thereby averting the fatal consequences which would ensue from a continuation of these attempts at usurpation, which are constantly growing bolder, and which have now advanced to such a point that the British Government is seeking to absorb a large extent of territory which it agreed should belong to Venezuela, when, in 1845, the death of Doctor Alejo Fortique, the Venezuelan plenipotentiary at London, took place, that officer having been charged with the presentation of a reclamation on account of the attempt made by Schomburgk in 1841.

With the most distinguished consideration, etc.,

A. M. SOTELDO.

No. 204.

Mr. Adee to Mr. Bayard.

OFFICE OF THE THIRD ASSISTANT SECRETARY,

July 14, 1885.

SIR: The dispatch of Mr. Jehu Baker, dated October 21, 1882, to the Secretary of State, contains a note from Mr. Seijas to Mr. Baker, dated July 15, 1882, and accompanying documents, which fully set forth the case of Venezuela in the matter of the disputed boundary between Venezuela and British Guiana.

After reviewing the course of the United States with respect to the Spanish colonies of South America, Mr. Seijas says:

"Full of gratitude for such services, and full of the confidence which they inspire, Venezuela now invokes good intelligence with the United States in search of some means which may contribute to the just termination of her question of boundary with British Guiana. This Government only claims what belonged to Spain—according in this with the opinion of the United States, which, on the 2d of May, 1849, said: 'The President is fully decided in the just opinion that Spain, having discovered and occupied that part of the American continent, the pre-

tended independence of the Musquitos, even supposing it had been tolerated by said power, could not annul her right of dominion over the territory claimed by these Indians; as also the independence, in the same degree, of all the different tribes, has not annulled, nor can compromise, the sovereignty of other nations, that of England included, over all the portion of the territory of the same continent. All the territorial rights of Spain over her ancient possessions have descended to the States which were afterwards formed, and this dominion must be considered as belonging to these same States, unless they may have voluntarily renounced it."

[NOTE.—The passage cited is from an instruction to Mr. George Bancroft, at London, May 2, 1849, in relation to the British encroachments in the Musquito territory of Central America; and the Venezuelan note implies that the doctrine as to Spanish title should be held equally applicable to Venezuela as to Central American territory.]

It is further stated in the note of Mr. Seijas to Mr. Baker that Great Britain, in trying to possess herself of the mouths of the Orinoco, seized upon the contiguous parts of Dutch Guiana, at length acquiring it by treaty in 1814, having already possessed herself by main force of the neighboring island of Trinidad, which Spain was made to cede by the treaty of Amiens in 1804.

In 1841, it is further stated, Great Britain sent as commissioner the engineer Mr. Schomburgk, who, under pretext of ascertaining the frontier line, put up posts and the British flag at Punta Barima. Afterwards, in consequence of the demands of Venezuela, those marks and signs of possession were ordered by Great Britain to be removed. Venezuela was then urgent for the demarcation of the boundary, and in 1845 the English cabinet took up the matter; but the death of the Venezuela minister at London, Señor Fortique, paralyzed the negotiations. Great Britain has, however, since that time continued her encroachments. On the river Guainia, which disembogues some 40 miles from Punta Barima, there are various missions, controlled by the British Government, which has there an employee with the charge of colonizing and peopling the country and educating the inhabitants, among whom the use of the English language predominates. In 1876, the note goes on to say, a plenipotentiary was accredited by Venezuela to London, with the object of effectuating the negotiations; nothing, however, was accomplished. In September, 1881, Lord Granville made a proposition in which, besides rescinding without known reason the less grievous proposal made spontaneously to Señor Fortique by Lord Aberdeen, and without entering into the legal discussion of the case, he indicates as a boundary of accommodation a line which, if accepted, "would leave Venezuela exposed to infinite dangers, deprive her of an extensive and important portion of her territory, and leave undefined the points not comprehended in the British memorandum."

The President of the Republic gave a negative answer, in view of the impossibility of reconciling the pretensions of Great Britain with the rights of the Republic, which he claimed extend to the Essequibo, and further because of the prohibition contained in the constitution of Venezuela against the alienation of any part of her territory. Nevertheless, the note says, the President of the Republic, before communicating his response to Great Britain, submits it to the Government of the United States, "with the hope of hearing on the particular its opinion and counsel, and in solicitude of the support which it may deem possible to lend to Venezuela in order that justice may be done her."

Great Britain derives her title to British Guiana from the Dutch, who derived their title from Spain, by the treaty of Münster, 1648, which

has never been revoked. Lord Aberdeen, it is stated in one of the accompanying documents above referred to, claimed that the boundary of the Dutch possessions on the west was the Orinoco; but he based his claim, so it is contended on the part of Venezuela, on acts posterior to the treaty of Münster and violative of its provisions.

Another of the said documents is a copy of a note from Mr. Seijas to Señor Doctor José Maria de Rojas, Venezuelan minister to Great Britain, dated July 15, 1882, proposing arbitration.

This is followed by a copy of Lord Granville's note in reply, offering a boundary line precisely the same as the line defined by Schomburgk in 1841, except as to that portion situated between the source of the Amacuro and the sea-coast, and giving to Venezuela the undisputed control of the mouths of the Orinoco. His lordship was silent, however, as to arbitration.

This line Venezuela refused to accept. There is also given a copy of a confidential memorandum submitted by the Government of Great Britain to the Venezuelan minister at London, defining the boundary Great Britain was willing to accept, in which the claim is made by Great Britain that, before and at the time of the treaty of Münster, the Barima was indubitably possessed by the Dutch, and that consequently the right of the Government of Her Majesty to the territory above that point in incontestable.

The British colonial office list for 1885, it may be observed, whilst positively stating the title of Great Britain to the settlements of Demerara, Essequibo, and Berbice, as included within the limits of British Guiana, admits that it is "impossible to specify the exact area of the colony, as its precise boundaries between Venezuela and Brazil, respectively, are undetermined," although by the lines on the accompanying map in the same book the colony is made to include about twice as much territory as Venezuela concedes.

In a note to Mr. Evarts, dated New York, December 21, 1880, Mr. Camacho stated that the press of Ciudad Bolívar (the capital of Venezuelan Guiana) had recently announced that two British vessels, one of them being a vessel of war and the other a sailing vessel, had made their appearance in the mouths of the Orinoco River, having on board telegraph poles, wires, and other articles, and that they had begun to erect poles at Barima and to establish a telegraph line. This note was accompanied by a map and an explanation of the importance to Venezuela of the control of the mouths of the Orinoco. The map was taken from Codazzi's Atlas of Venezuela. Certain portions of territory are marked on it as considered to have been usurped by the English. But the claims of Great Britain at the present time extend far beyond these portions of territory, extending, in fact, to the west and north over an area nearly, or quite, twice as great as that conceded to Great Britain by Venezuela, together with the portions marked as usurped.

Mr. Evarts replied in a note to Señor Camacho, January 31, 1881, in which he said that, "in view of the deep interest which the Government of the United States takes in all transactions tending to attempted encroachments of foreign powers upon the territory of any of the Republics of this continent, this Government could not look with indifference to the forcible acquisition of such territory by England, if the mission of the vessels now at the mouth of the Orinoco should be found to be for that end. This Government awaits, therefore, with natural concern, the more particular statement promised by the Government of Venezuela, which it hopes will not be long delayed."

In another note from same to same, February 28, 1881, and referring

to the note of Señor Camacho of the 21st of December, Mr. Evarts takes occasion, at the close of his incumbency of office, "to advert to the interest with which the Government of the United States can not fail to regard any such purpose with respect to the control of American territory as is stated to be contemplated by the Government of Great Britain, and to express my regret that the further information promised in your note with regard to such designs had not reached me in season to receive the attention which, notwithstanding the severe pressure of public business at the end of an administrative term, I should have taken pleasure in bestowing upon it. I doubt not, however, that your representations, in fulfillment of the awaited additional orders of your Government, will have like earnest and solicitous consideration at the hands of my successor."

In response to this note, Señor Camacho wrote a note, dated Washington, March 2, 1881, in which he states that the note of January 31 was not received.

In a dispatch to Mr. Blaine, dated Caracas, November 30, 1881, Mr. Carter informs our Government of a visit he received from President Guzman on the 24th instant, and an invitation to dine on the same day. Then follows an account of the dinner, conversation, etc. President Guzman said that there was pending a question of boundary between Venezuela and Great Britain, which was of essential importance to Venezuela, and a source of great anxiety to him. After stating that the question covered the line of separation between British Guiana and Venezuela, and involved a large and fertile territory between the Essequibo and the Orinoco, and probably the control of the mouth and a considerable portion of the latter river, and that the controversy seemed to have been inherited from the Spanish Crown, but assumed more definite shape in 1840, since which time Great Britain had delayed negotiations and made constant encroachments, the President said that, although the rights of Venezuela were clear and indisputable, he questioned her ability, unaided by some friendly nation, to maintain them, and that he hesitated even to state the full claim of the Republic and give an ultimatum, in response to the English note, unless assured of the support in some form of the Government of the United States. He then expressed a desire to communicate to the Government of the United States the Venezuelan reply to Great Britain, together with a memorandum containing the facts relating to the controversy. Mr. Carter replied that the Government and people of the United States could not be indifferent to any transaction that might seriously threaten the integrity of the soil of Venezuela or the permanency of her free institutions, or that might materially cripple her growth or injure her prosperity. He added that a condition of things might arise in which the friendly offices or moral support of the United States might be available, but did not give any assurances as to the particular question, further than to say that he would transmit to Washington copies of any papers or documents furnished him.

No response was made to this dispatch beyond an acknowledgment of its receipt.

On the 20th of June, 1882, Mr. Jehu Baker sent a dispatch to Mr. Frelinghuysen, referring to Mr. Carter's dispatch of November 30, 1881, and received a reply, dated July 15, 1882. Mr. Frelinghuysen, after saying that it had not been considered proper to express an opinion upon the boundary question, at least in advance of an opportunity to examine the title, said that Mr. Carter correctly expressed the general views of this Government. "It may be added," said Mr. Frelinghuysen

"that we are desirous that the claims of Venezuela shall prevail in every way which may be sanctioned by public law, including any treaties which may contain stipulations upon the subject and by acknowledged historical facts. If Venezuela should request it, we will propose to the Government of Great Britain that the question be submitted to the arbitration of a third power."

Mr. Baker's dispatch of October 21, 1882, containing the full statement of the case of Venezuela and Lord Granville's notes to the Venezuelan Government, was received after the instruction above stated, and in reply Mr. Frelinghuysen sent an instruction, January 31, 1883, in which he said that the instruction sent on the 15th of July, 1882, expressed the views of this Government "as freely as might be done consistently with a perfect reserve of impartiality as to the merits of the question in dispute." Mr. Frelinghuysen renews his intimation of willingness to propose arbitration to Great Britain. He declined, however, to advise Venezuela, as that could not be done without expressing a decided opinion. But he said that the United States, while not seeking to put itself forward as an arbitrator, would always prefer to see such contentions adjudicated through the arbitrament of an American rather than a European power.

In a note dated January 15, 1883, from Señor Camacho to Mr. Frelinghuysen, the Government of the United States is requested to arbitrate and Mr. Frelinghuysen to act as arbitrator. The receipt of this note was acknowledged January 22, 1883.

In a dispatch dated February 22, 1883, Mr. Baker gives the substance of a conversation with President Guzman, in which the latter indicated his objections to European and South American States as arbiters, and expressed his desire for the United States. At this interview Mr. Frelinghuysen's last instruction, given above, was read to the President.

In another dispatch, December 29, 1883, Mr. Baker incloses a note from Mr. Seijas to himself, dated November 15, 1883, in which it is stated that President Guzman had accepted arbitration from the time it was intimated by the United States, "but in the conception that he could only admit them (the United States) for arbitrators." The note concluded by saying that the President hoped that the United States would do nothing from which their incapacity to serve as arbitrator might result, they being the sole power into whose hands Venezuela could commit, without inquietude, the decision of the controversy, and proposed the President of the United States as arbitrator.

In another note, inclosed in the same dispatch, and dated November 15, 1883, from Mr. Seijas to Mr. Baker, the statement is made of the difficulty or impossibility of settling the question by treaty, because of the constitutional prohibition against the alienation of the territory of Venezuela.

In a dispatch from Mr. Baker, dated October 31, 1883, acknowledged December 22, 1883, an account is given of an interview between himself and President Guzman, in which a proposal was made by the latter or a treaty of alliance between Venezuela and the United States, by which the vessels of the United States might trade on all the navigable rivers and lakes of Venezuela, and also along all her coast, from port to port, on terms of equality with the vessels of Venezuela, in return for which privilege the United States should give a "moral protection" to Venezuela. No determinate duty was to be imposed upon the United States, but the name of the nation was to be used to exert a moral influence upon Great Britain. President Guzman said he be-

lieved that, if the United States did not accept his suggestion, England would take the Orinoco by a *coup*, as she did Egypt.

In 1884 ex-President Guzman Blanco visited the United States on his way to England and France, and had several conversations with Secretary Frelinghuysen. As a result of these conversations, instructions were sent to Mr. Lowell, July 7, 1884, in which Mr. Frelinghuysen says that he told General Guzman that, in all that touches the independent life of the republics of the American continent, or may tend to impair their normal self-control, the United States take a deep interest; that the moral position of the United States was well known through the annunciation of the Monroe doctrine, but formal action in the direction of applying that doctrine to a speculative case affecting Venezuela seemed to be inopportune. That he (Mr. Lowell) might, however, take proper occasion to let Lord Granville know that we are not without concern as to whatever may affect the interests of a sister republic of the American continent and its position in the family of nations.

* * * * *

Mr. Lowell made no report in reply to this instruction. General Guzman Blanco is understood to be still in England, or on the neighboring continent, pressing the views of Venezuela upon Her Majesty's Government. That he has made little, if any, headway may be inferred from the note of Mr. Soteldo, now under examination, of April 29, 1885, in which he calls the attention of our Government to the continued encroachments of Great Britain by the fixing of placards and posts on Venezuelan soil, with a view to securing title thereto; and also to a recent invasion of Venezuelan territory, and the arrest and taking of an officer of the Venezuelan Government before the colonial authorities at Demerara. The note concludes with an expression of the desire of the Venezuelan Government for arbitration, with the United States as arbitrator. * * *

Respectfully submitted.

ALVEY A. ADEE.

No. 21.

Mr. Bayard to Mr. Phelps.

[Confidential.]

No. 53.]

DEPARTMENT OF STATE,
Washington, July 20, 1885.

SIR: My attention has recently been called to the question of the disputed boundary between Venezuela and British Guiana by a note from Mr. Soteldo, the Venezuelan minister, dated April 29, of the present year, of which a copy is sent you with this instruction.

The dispute is an old one, reaching back to the time when Venezuela became an independent Republic. During the past five years, however, because of certain alleged British encroachments upon the territory of Venezuela, it has been revived, and has been frequently pressed upon the attention of this Department by Venezuela.

During the year 1884, ex-President Guzman Blanco visited this city on his way to England and France, to which countries he had been accredited by the Government of Venezuela as a special envoy, and as

the result of several conferences between him and my predecessor, an instruction was sent to Mr. Lowell, July 7, 1884, to which, with the accompanying documents, noted at the end of it, you are referred for general information in the premises.

Since receiving the note of the 29th of April from Mr. Soteldo, I have caused an examination and a compendious report to be made of all the correspondence between this Government and Venezuela relating to the boundary question, and of all the instructions of this Department relating thereto, of which report, of the 14th instant, a transcript is herewith transmitted for your further information.

Up to the present time no advices have been received as to the state of the negotiations of General Guzman with Her Majesty's Government. It is reasonable to assume, from the note of Mr. Soteldo, that no satisfactory progress has been made. But if General Guzman should be in London, you may ascertain from him, or, if he should not be there, from the Venezuelan minister, through informal conversation, what, if anything, has been accomplished in the direction of the settlement of the dispute, and report the same to this Department. * * *

The Venezuelan Government, as you will perceive by the correspondence, has never definitely stated what course it desires this Government to pursue, but, on the contrary, has expressed a desire to be guided by our counsel. * * *

The good offices of this Government have been tendered to Venezuela, to suggest to Great Britain the submission of the boundary dispute to arbitration; but, when shown that such action on our part would exclude us from acting as arbitrator, Venezuela ceased to press the matter in that direction. Whilst she has expressed her acceptance in principle, upon our suggestion, of arbitration as a means of settling the disputed question, she has at the same time indicated an unwillingness to accept as arbitrator any Government but that of the United States, and has explicitly requested this Government to act in that capacity. To such a request, however, coming from only one of the interested parties, no answer could be returned, beyond an expression of the opinion that a request to arbitrate could be entertained by this Government only when coming concurrently from both parties to the controversy.

I am, etc.,

T. F. BAYARD.

[Inclosures with No. 21.]

1. Mr. Soteldo to Mr. Bayard. April 29, 1885. (See Document No. 20, *ante*.)
2. Report of Third Assistant Secretary. July 14, 1885. (Printed herewith.)
3. Mr. Bayard to Mr. Soteldo. July 21, 1885. (See Document No. 22, *post*.)

No. 22.

Mr. Bayard to Señor Soteldo.

DEPARTMENT OF STATE,
Washington, July 21, 1885.

SIR: I have the honor to acknowledge your note of the 29th of April last, calling the attention of this Government again to the question of the disputed boundary between Venezuela and British Guiana, and

expressing the preference of your Government for the arbitration of the United States in the settlement of the same.

While the President feels much flattered by the means of solving the difficulty which you suggest, he considers that he could not entertain a request to act as umpire in any dispute unless it should come concurrently from both the contestants.

Our minister at London has been furnished with a full history of the case up to the present time, and has been instructed to inform himself, as far as he can with propriety, of the present state of negotiations in London between Venezuela and Great Britain in this matter, and to report the result of his inquiries to this Department.

I avail, etc.,

T. F. BAYARD.

No. 23.

Mr. Scott to Mr. Bayard.

No. 108.]

LEGATION OF THE UNITED STATES,
Caracas, December 13, 1886. (Received December 27.)

SIR: On the 16th ultimo I was requested by Dr. Urbaneja to call at his office at 10 o'clock a. m., as he desired to see me on important business, and, in compliance with his request, I visited his office on the morning of the 16th of November, 1886.

* * * * *

On the 24th of November, 1886, General Guzman Blanco, President of Venezuela, requested also an interview with me at Antomino, his country residence, about 5 miles from Caracas, and on the evening of that day I accompanied Dr. Urbaneja and Dr. Seigas, acting as interpreter, to ascertain what the President desired. After entering the residence of the President I was invited to a table, on which a map was spread containing the territory in "dispute between Venezuela and British Guiana." The President proceeded at length to explain the whole controversy between Great Britain and his country regarding this territory, alleging that Great Britain had, after encroachment upon encroachment upon the lawful and rightful territory of Venezuela, finally claimed the mouth of the Orinoco River. After listening respectfully and attentively to his excellency, I replied "that I had no authority from my Government to give official expression to an opinion on this subject, but if he would cause a note to be addressed to me through Dr. Urbaneja, requesting me in writing, as he had verbally, to inform my Government of these alleged wrongs on the part of Great Britain, and asking of it its good offices in the matter, I would cheerfully transmit the same to you for your consideration."

On the 25th ultimo, the day after the interview, I addressed to Dr. Urbaneja note No. 61, a copy of which you will find embodied in inclosure No. 2, and you will find in inclosure No. 3 Dr. Urbaneja's reply to my note, and inclosure No. 4 is a translation of the same.

You will find on file in the archives of the State Department at Washington a dispatch from my predecessor, Mr. Baker, No. 565, and dated Caracas, October 21, 1882,* and accompanying the same several voluminous documents, containing over 300 pages. These documents and Dr. Urban-

* Printed as Document No. 9, *ante*.

eja's note, No. 556, embraced in inclosure No. 3, will afford you ample information as to the "boundary question between Venezuela and British Guiana," from the Venezuelan standpoint.

It has come to my knowledge in the last day or two that on Monday, the 6th instant, President Guzman Blanco requested an interview with the British minister, Mr. St. John, and stated to him that Venezuela intended establishing a light-house at Cape Barima, and that if England objected all diplomatic relations between that country and Venezuela must cease, and it would be considered a *casus belli*. Whereupon Mr. St. John telegraphed to his Government of the intentions Venezuela in regard to Barima Point, at the mouth of the Orinoco, and also the declarations of General Guzman Blanco at the said interview about the diplomatic relations and the cause of war between the two countries.

I have also learned that Venezuela will dispatch, in a day or two, General Muñoz Tébar, a civil engineer, in a man-of-war, the *Reivindicator*, to take possession of Barima Point and establish a light-house on the same.

Thus matters look very angry and threatening, and the attempt on the part of Venezuela to take possession of Barima Cape may lead to a collision and an open rupture between these two countries that may lead to a war.

I have deemed it advisable to place in your possession all the above facts for your consideration.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure No. 2.]

Copy of Mr. Scott's note No. 61 to Dr. Urbaneja, November 25, 1886.

LEGATION OF THE UNITED STATES,
Caracas, November 25, 1886.

SIR: On an examination of the archives of this legation I find that my predecessor, Mr. Baker, did on the 21st of October, 1882, in dispatch No. 565, transmit to the United States Government voluminous documents relating to the boundary line between Venezuela and British Guiana.

These documents are on file in the archives of the Department of State, in Washington City, and can be readily and easily found, and can be used by the present Secretary of State, Mr. Bayard, to obtain all the necessary information on this question of the disputed boundaries between Venezuela and British Guiana.

It seems, then, only necessary to call the attention of my Government to the recent claims of Great Britain to the Orinoco River, but whatever you may desire to transmit to my Government, through this legation, embody the same in your note addressed to me on the subject, and it will be most cordially forwarded with a dispatch from this legation on the subject-matter.

If you desire your communications to reach Washington as soon as possible, it would be advisable for you to send your note to this legation as early as practicable, as the steamer *Philadelphia* leaves La Guayra for New York on the 6th proximo.

With distinguished consideration, etc.,

CHARLES L. SCOTT.

[Inclosure No. 3.—Translation.]

A version.—Dr. Urbaneja to Mr. Scott.

CARACAS, November 30, 1886.

EXCELLENCY: As agreed upon at the interview with the President of the Republic on the 24th instant, I have the honor of repeating here to your excellency in writing what he then stated and requested by word of mouth.

I shall begin by referring to the communications and documents ere this time addressed by this ministry to your legation about the boundary controversy between

Venezuela and British Guiana, and, in pursuance of the contents of your excellency's dispatch of the 25th, I will only add a mention of the late occurrences.

Scarcely had a year elapsed after the Carabobo battle, and before the recognition of her independence, when the great Republic of Colombia, of which Venezuela formed a part, in view of the usurpations of the colonists from Demerara and Berbice, proposed the settlement of the above question, as Venezuela has continued to do since the first years of her existence. She has ever maintained, as Colombia did, that her boundary on the seaside is at the mouth of the Essequibo River. Great Britain proposed in 1844 to fix it at the mouth of the Moroco, and in 1881 at 29 miles to the east of the right bank of the Barima River. Heretofore she had evinced her readiness to Venezuela retaining the full sovereignty over the mouths of the Orinoco; to-day she requests that its commerce and navigation may be entirely free.

Venezuela, listening to the advice of the United States, has endeavored several times to obtain that the difference should be submitted to the award of a third power. She has made up her mind to nominate their Government as arbiter as soon as that manner of deciding the suit is acquiesced in by the other party. But such efforts have proved fruitless, and the possibility of that result, the only one prescribed by our constitution, being arrived at, becomes more and more remote from day to day.

Great Britain has been constant in her clandestine advances upon the Venezuelan territory, not taking into consideration either the rights or the complaints of this Republic.

She has not even respected an agreement concluded between the two governments by an interchange of notes in 1850, and which she herself proposed spontaneously, to the effect that neither party should occupy or encroach upon the territory in dispute, or ordain or sanction such occupation or encroachments on the part of their authorities. She declared at the same time that she had no intention to commit them; and that the rumors then spread that she was resolved upon claiming the Venezuelan Guiana were not only destitute of every foundation, but were precisely the reverse of the truth. But on the contrary the Republic has kept such a compact of neutralization so far as to have refrained from erecting a light-house at the Barima Cape, where the British legation itself had deemed it so necessary as a means of rendering the great entrance to the Orinoco perfectly perceptible, that in an official note to this ministry, dated May 26, 1836, it recommended to the executive its establishment with the most earnest instance, thus recognizing the indisputable sovereignty of Venezuela over the Barima Cape.

At length, throwing off the mask and ostentatiously amidst a profound peace, and without the least notice of her purposes, Great Britain has invaded places which had ever been only under the ownership and empire of Venezuela, as the Barima, Morajuana, and Amacuro rivers; has put on their trees notices signifying command; has superseded by hers Venezuelan authorities; has taken off as prisoner a commissary of this country to try and punish him; has disregarded the laws of the same as to the use of its ports; has begun the foundation of an agricultural colony, the construction of a Government office at the Amacuro River, and the supplying of said colony with two vessels, arms, and policemen; in short, she is exercising *de facto* an exclusive jurisdiction on Venezuelan territory, and thus scandalizing the world towards the end of the nineteenth century by an attempt to wrest forcibly, as it was since long apprehended, the joint proprietorship of the Orinoco, that large artery of this continent, in defiance of the sovereign attributes of the Republic; with no other hope than the supposed weakness of the ejected party; with no more title than the interest of her commerce and her aspiration to the mineral wealth of the soil; with no other support than her guns, and no more sanction than that of a consummated fact.

Under such circumstances the Government has but two courses left open; either to employ force in order to recover places from which force has ejected the Republic, since its amicable representations on the subject have failed to secure redress, or to present a solemn protest to the Government of the United States against so great an abuse, which is an evident declaration of war—a provocative aggression.

The President of the Republic has not considered proper to do either of those things before he has heard the very respectable voice of the President of the United States called upon by every motive to make suggestions and give advice to this Republic in so grave an emergency.

At the same time the Government is preparing to send to the Barima Cape an engineer who establishes there the light-house recommended by the British legation, commissioners that may intimate to the trespassers their withdrawal from the Venezuelan territory, and new officers who are to occupy it and to exercise acts of ownership, in order that the Republic may not be taxed as negligent in the assertion of her rights.

I hope that your excellency, after the examination of the precedents of the case, on transmitting a copy of this note to his excellency, Mr. Bayard, will deign to accompany it with your enlightened appreciation,

I renew to your excellency, etc.

D. B. URBANEJA.

No. 24.

Mr. Scott to Mr. Bayard.

No. 111.]

LEGATION OF THE UNITED STATES,
Caracas, December 18, 1886. (Received December 27.)

SIR: Since writing my No. 108, diplomatic series, dated the 13th instant, I have received from Dr. Urbaneja the two inclosures appended to this dispatch. Inclosure No. 1 is a copy of a note addressed on the 7th of this month to the Hon. F. R. St. John, Her Britannic Majesty's minister to Caracas, in relation to the Barima Point, at the mouth of the Orinoco River; and inclosure No. 2 is a copy of a note written by the British minister, the Hon. R. K. Porter, on May 26, 1836, in regard to the improvement of the mouth of the Orinoco River and the establishment of beacons, buoys, etc., on the part of the Venezuelan Government, thus recognizing at that time the proprietary right of Venezuela to Barima Cape, and which is the main point in dispute now, and its occupancy by either party now seems to threaten war.

The inclosures appended to my No. 108, diplomatic series, and the inclosure hereto appended to my No. 111, diplomatic series, will convey to you a correct conception of the present impending and angry difficulties between Great Britain and Venezuela. Holding myself in readiness to obey any instructions that you may send me in regard to this subject,

I have, etc.,

CHARLES S. SCOTT.

[Inclosure No. 1.]

Dr. Urbaneja to Mr. St. John, dated Caracas, December 7, 1886. (Printed as inclosure No. 51 to Document No. 58, *post.*)

[Inclosure No. 2.]

Sir Robert Ker Porter to Señor Gallegos, dated Caracas, May 26, 1836. (Printed as inclosure 3, in No. 51, to Document No. 58, *post.*)

No. 25.

Mr. Scott to Mr. Bayard.

No. 114.]

LEGATION OF THE UNITED STATES,
Caracas, December 24, 1886. (Received January 8, 1887.)

SIR: Since the departure of the last mail, on the 19th instant, for the United States, this legation has received additional information from the foreign office of Venezuela on the pending issue between this Republic and Great Britain, not only on the boundary question, but the right of possession to Barima Cape, before alluded to in previous dispatches.

Inclosure No. 1, appended to this dispatch, will convey to you intelligence and information on the dispute in question between Venezuela and Great Britain; up to date I have gathered no additional news as

to the apprehended collision between the Venezuelan authorities and the British at Barima Point. If anything should happen between now and the closing of the mails you shall be informed of the same.

I have, etc..

CHARLES L. SCOTT.

[Inclosure No. 1.]

TRANSLATION OF MEMORANDUM.

[Confidential.]

DECEMBER 15, 1886.

For the reasons and with the views before now expressed, the Government of Venezuela has applied on various occasions to that of the United States of America with the statement of the wrongs done to this Republic by Great Britain in so important a matter as the integrity of her territory, which on the east borders on British Guiana.

The two memoranda, forwarded in 1882 to his excellency, Mr. Baker, prove, the one, the importance for Venezuela, Colombia, and other countries of South America, of the imposing Orinoco, into which more than one thousand others pour their waters, and which for this reason is a powerful channel of communication and traffic for vast countries and forms a considerable portion of the fluvial system of this continent; and the other memorandum proves the rights of Venezuela as Spain's successor to the coast, as far as the mouths of the Essequibo. To these documents is now added the mention of new facts which have brought matters to a point of extreme importance and danger. As the President said to his excellency, Mr. Scott, the calamity which for many years had been feared, first by Spain and after by the Old Colombia and by Venezuela, is to day an undoubtable fact.

Great Britain is now at Barima and Amacura, that is to say, at the mouth of the Orinoco, so that she appears as joint proprietor of it with the Republic, and it is an easy matter to foresee how far her advances will go.

If the Dutch, from whom they derive their right, openly infringing the Münster treaty of 1648, and the Aranjuez convention of 1791, had advanced as far as Cape Nassau, notwithstanding the armed resistance of Spain, the English have followed the same system of usurpation, especially since the time when the attitude of the United States compelled France to withdraw from Mexico the troops she had sent there to help Maximilian.

In order not to enter into particulars, it will suffice to recollect that Lord Aberdeen, in the year 1844, proposed for a boundary on the coast the mouth of the Moroco, and that in 1881 Lord Granville declared this frontier as inadmissible, and proposed another, which commenced 29 miles to the east of the river Barima.

In 1841 the English penetrated as far as Amacura and Punta Barima, and placed there posts, monograms, flags, and a sentry-box, all of which created considerable excitement in the Republic. By dint of complaints and remonstrances the removal of these marks of foreign rule was obtained. After this it would have been supposed that these acts would not have been renewed, Lord Aberdeen having explained that boundary marks has been placed at some points of the country explored by Mr. Schomburgk as a preliminary step, subject to its being discussed at some future time by the two Governments that they were placed with this precise object, and not, as the Government of Venezuela seemed to fear, with the intention of indicating rule or dominion on the part of Great Britain.

However, from the year 1884 the intention of taking possession of the Orinoco was renewed, the pretext being then the concession granted to Messrs. Gordon and Fitzgerald for colonization in the "Delta territory," although in said concession it was plainly stipulated that it went "as far as British Guiana," that is, to the exclusion of the latter.

From October in that year the invasions on the great mouth of the Orinoco and other points began. English officials, on board the steamer *Lady Langden*, after having asked for a pilot to go up that river, which was refused them, as their destination was not a port of entry of the Republic according to her laws, quietly continued their voyage, and entered places which have always belonged to Venezuela, placed posts, posted notices, in which they declared that they were there on the strength of the British laws, changed the officials of this country, substituting them by others of their own appointment, attempted to place in their service Venezuelan officials, and threatened to return in larger numbers in order to enforce their commands. They did return, in fact, to continue the series of acts which they had already commenced, without paying any attention whatever to the remonstrances of the Venezuelan

authorities. Still not satisfied with this, they took Mr. Roberto Wells, the Venezuelan commissioner, with them, under the pretext that he had been guilty of ill-treating a Portuguese subject; and, having brought him under the jurisdiction of a court in Demerara, he was tried and sentenced, the sentence having been carried out. All this took place notwithstanding that the alleged facts had taken place on Venezuelan territory and therefore within her jurisdiction.

Mr. Michael McTurk, who calls himself a special magistrate *ad interim* and superintendent of lands and forests for the Crown in the district of the river Pomarón, answered General Federico Puga, who was commissioned by this Government to inquire into these events, on the 4th of April, 1885, that he had been in the rivers Amacura, Barima, Morajuana, and Guainia, and placed notices in the principal spots of them; that he did this by order of the governor of British Guiana; that he went there on board the aforesaid steamer, her commander being Captain Paisley; that he had been there several other times after the placing of the notices in English, in his capacity of magistrate in charge of the district of which they form a part; that Mr. Roberto Wells was sentenced in the supreme criminal court of sessions of Tudelle River, Essequibo, on the 20th of February, for an assault committed in October, 1884, on the person of a Portuguese, on the River Morajuana, and that he did not require a pilot for the River Amacura, neither did he ask for the services of any for the Orinoco.

The notices were of the following tenor:

[L. S.]

GOVERNMENT NOTICE.

Notice is hereby given that any persons infringing the rights of Her Majesty, or acting in contravention of the laws of British Guiana, will be prosecuted according to law.

By command.

FRANCIS VILLIERS,
Acting Government Secretary.

GEORGETOWN, DEMERARA, October 16, 1884.

The invasions on the Venezuelan territory continued after that, and among other effects had that of violently deposing the authorities which had been constituted by the governor of the "Delta territory" at the mouths of the Amacura and Morajuana and the proposal made to the Commissioner of the mouth of the former, Mr. Roberto Siso, to invest him with sufficient authority, to assign him a salary, and to leave him a sufficient garrison to sustain and defend British jurisdiction at that point.

On the 22d of November the aforesaid Mr. McTurk wrote in the following terms to the president of the Manoa Company, Mr. Kelly, on his having heard that the company was going to establish a sawmill at the mouth of the Barima:

"I consider it my duty as an official now in charge of the judicial district of the river Pomarón, which district extends to the limits of Venezuela, or of the west, to notify you that the river Barima is in the country of Essequibo and the colony of British Guiana, and forms a portion of the judicial district over which I have jurisdiction. No establishment of any kind, whether with commercial or other views, can be formed within the limits of the colony unless they are in accordance with its existing laws, obedience to which will be exacted from any one establishing himself therein. I would call your attention to the notices placed on the trees of the rivers Amacura, Barima, and Waini; of which I am told you have a copy in your possession. I inclose a manuscript copy of same. These notices were placed where they are by order of his excellency the governor."

In another dispatch of the same date Mr. McTurk said to Mr. Juan José Inteseare, Venezuelan commissioner: "I have the honor to inform you that you are now within the limits of the colony of British Guiana and of my district, as one of the special magistrates and superintendent of lands and forests for the Crown for said colony, and are therefore without your jurisdiction as an official of the Venezuelan Government. Whatever notices you may give the inhabitants will be void, and such individuals as may reside in this or any other part of this colony will have to act in conformity with its laws."

On the 25th of October, 1884, the acting secretary of the Government of British Guiana wrote to Mr. Fitzgerald in the following terms: "I am directed by his excellency the governor of British Guiana to acknowledge the receipt of your three letters noted in the margin with reference to and transmitting documents respecting the Manoa Company and the concession made by the Venezuelan Government, and to convey to you the expression of his excellency's thanks for the information and the documents supplied. 2. With regard to the British Guiana boundary I am directed by his excellency to intimate to you that the colonial government exercise authority and jurisdiction within the limits laid down in the accompanying map, starting from the right bank of the Amacura River, and that within these limits the colonial gov-

ernment enforces the laws of British Guiana. 3. I am further to intimate to you that any person disregarding or acting in contravention of the laws of British Guiana within these limits will be liable to be proceeded against according to the laws of the colony. 4. The whole of the territory, therefore, between the Amacura and Maruca rivers is part of the colony of British Guiana, and the colonial government will maintain jurisdiction over this territory and prevent the rights of Her Majesty or of the inhabitants of the colony being in any way infringed.

By these communications will be seen the eagerness with which the British authorities, joining facts to words, assume jurisdiction over those places where it had never been had but by Venezuela, and which they have entered, violating in an unheard-of manner the most sacred territorial rights of the Republic, and with no other right than that of strength.

But the injustice of the proceeding is still greater, as will be shown. The British Government maintained through its minister in Caracas, Mr. Mansfield, that the concessions granted by Venezuela to Messrs. Gordon & Fitzgerald included districts of which a portion is claimed both by Venezuela and Her Majesty's Government, and that they would be void as far as any territory was concerned which should prove to be English, of which he had been directed to notify them, in order to warn them and also the Government of Venezuela in order to forestall the future possibility of its being alleged that the London cabinet had consented to said concession being granted as an argument on behalf of the claim of the Republic.

Mr. Wilson, British chargé d'affaires in this country, on account of a rumor having spread that Great Britain wanted to claim the Venezuelan Guiana, and of its having been spoken of putting it in a state of defense and of constructing a fort at Barima, made it his special business to contradict said rumor, and declared in an official dispatch, dated November 11, 1880, that not only was it entirely devoid of foundation, but that they were quite the reverse of the truth. He added, besides: "The Government of Venezuela can not, without being unjust to Great Britain, mistrust for one instant the sincerity of the formal declaration now made in the name and by the express orders of Her Majesty's Government, to wit, that Great Britain has no intention of occupying or usurping the disputed territory; therefore the Government of Venezuela can not, in all good faith and friendship, have any objection to making a similar declaration to Her Majesty's Government, to wit, that Venezuela has no intention of occupying or usurping the disputed territory."

Further on, in the same note, Mr. Wilson made the following statement: "The Government of Her Majesty, as has been already stated, will neither order nor sanction such usurpation on the part of British authorities; and the undersigned is fully persuaded that if at any time there is any misunderstanding regarding the determination of a government at this point, said Government will willingly renew its orders on this subject. I therefore am convinced that, agreeably to the friendly suggestions of Her Majesty's Government, that of Venezuela would not hesitate to send to the Venezuelan authorities in Guiana positive instructions to refrain from taking any measures that the British authorities might justly consider as aggressive."

The Government of the Republic acceded to what was asked from it, declaring it had no intention of occupying nor usurping any portion of the territory, the dominion of which was in controversy, nor would it look with indifference upon a different proceeding on the part of Great Britain. And likewise it gave orders to the authorities of Guiana to refrain from any measures which would infringe the obligations which the Government had contracted by virtue of what had been declared, and which might lead to fatal results.

This convention has continued in force until now without any alteration whatever, as there was no duration to it specified at the time of making it, nor have the respective parties addressed since then any communication to each other regarding the subject.

Thus was established between the territories of the two states a neutral zone which especially comprised the River and Point Barima as being the portions of the Orinoco on which Engineer Schomburgk had placed the marks of dominion, whose removal the British Government had ordered and to which the rumors before mentioned by Mr. Wilson had reference.

Trusting to the good faith of this pact, which had been spontaneously proposed by the Government of Her British Majesty, and to the solemn and also spontaneous declaration which accompanied it, the Government of Venezuela left matters in the same state in which they were in 1850, and refrained from erecting the light-house at Point Barima, which was so urgently recommended by the British legation in a despatch of May 26, 1836, to this Department, a copy of which has already been transmitted to his excellency Mr. Scott, as a means of making the great entrance of the Orinoco perfectly perceptible and the navigation of it as far as Angostura (now Ciudad Bolívar) equally safe.

Although the advances of the English were continued in a more or less clandestine manner, they had never reached the proportions which more recent and present facts have reached; and for this reason the Government confined itself to request a definite

settlement of the boundary question; but considering the late events the minister of this country to London, having exhausted his efforts to bring this ancient controversy to a close by arbitration, represented to Her Majesty's Government the justice of Venezuela's complaints of so many and flagrant violations of her territory, and demanded, first, the removal of all marks of sovereignty placed upon the lands in dispute; second, the withdrawal of all officials and armed forces which might have been placed there; third, satisfactory explanations of the violations of the convention of 1850, and of the infringement of the laws of the Republic concerning the prohibition to enter ports which are not open to foreign vessels; fourth, the canceling of the trial of the commissioner, Mr. R. Wells, his liberty, and an indemnification for the damages caused by his arrest, imprisonment, trial, and punishment; and, fifth, a complete restoration of things to the state in which they were in 1850, the date of the convention, and strict orders to the governor of British Guiana to strictly adhere to it while the two Governments settled the matter of limits.

These claims have been presented since the 28th of July ultimo. Not only has no answer been given to them, but, as it would doubtlessly appear, new instructions have been sent to the governor of British Guiana to carry out the plan of usurpation already established. This may be concluded from the decrees issued in October last and in the last month, concerning new divisions of police districts and the ignoring of the concessions of land made by Venezuela at the points claimed by Great Britain and the discussions in the colonial legislature about mining regulations. In the first of said acts the rivers Barima and Amacuro were declared British, as well as the eastern affluents of the latter, and the space comprised between said rivers and the coast, etc.

It is said that they are [at] present establishing an agricultural colony at the channels of the Amacuro and Barima, where they have a commissioner, provided with two vessels with weapons and police agents, who imposes patents and prohibits transient persons engaged in mercantile transactions from doing their business; that they are building schoolhouses and that over the building destined for a government office the British flag is constantly flying; that a small steam man-of-war went there in October, and that a revenue cutter often cruises in the space comprised between Barima and Amacuro; that they grant permits for developing mines which are situated on Venezuelan territory, so that said mines are very near to the Palmar, at about 18 leagues southeast of Upata and the gold proceeding from them is exported via Demerara. Besides this the governor of said colony issued a decree on the 6th of November ultimo, by which he denies the validity of the concessions of land made by Venezuela when they include any territory claimed by Great Britain, threatening to proceed against anyone who should take possession of such lands or should exercise in them any rights on the strength of such titles as an usurper, according to the laws of the colony. This same resolution was published in the London Gazette of 22d of October under the heading "Colonial Office, Downing street, October 21st."

At the same time the attorney-general of the colony presented at the police court on the 9th of November, ultimo, a project of mining regulations, by which the governor is authorized to grant permits for developing mines within the limits marked out by Mr. Schomburgk; that is, within the very territory under dispute, and even beyond them on this side. In another decree of 16th of July of the present year the governor of Demerara and the police court have changed the preceding limits and have comprised in No. 1 the establishments of the rivers Moroco, Waini, and Barima, and their tributaries, the right bank of the Amacuro and its tributaries on that side, and the whole of the country situated between said rivers and back to where the limits of the colony extend.

No. 26.

Mr. Bayard to Mr. Scott.

No. 81.]

DEPARTMENT OF STATE,

Washington, December 30, 1886.

SIR: Your dispatches Nos. 108 and 111, of the diplomatic series, dated, respectively, the 13th and 18th instant, have been received. They relate to the disputed boundary question between Venezuela and Great Britain, and report the avowed determination of the Government of Venezuela to assert jurisdiction over territory claimed by that Republic at the mouth of the Orinoco, coupled with the announcement that any

interference on the part of Great Britain with the exercise of visible authority there by Venezuela will be regarded by the latter as a *casus belli*. I have pleasure in approving your action in allowing the Venezuelan ministry for foreign relations to take copies of the documents in your legation relative to this question; and generally in commending your action, as so far reported, upon the representations made to you by Señor Urbeneja.

When this question assumed a decided gravity in 1883-84 this Government hastened to communicate all the facts then within its knowledge to the United States minister in London and to intimate to Mr. Lowell our desire for the adoption of some practicable and friendly mode of furthering a harmonious settlement.

Since the correspondence then exchanged, General Guzman Blanco has visited England, and it is understood that he was there engaged in negotiations with Her Majesty's Government looking to an adjustment of the difference.

This Department has not had an opportunity to keep pace with the negotiations attempted at London by General Guzman, but the situation as now reported by you indicates that his efforts failed.

The Government of the United States can do no less now than in 1884 to manifest its interest for a speedy and satisfactory conclusion.

I am, etc.,

T. F. BAYARD.

No. 27.

Mr. Bayard to Mr. Phelps.

[Confidential.]

No. 493.]

DEPARTMENT OF STATE,

Washington, December 30, 1886.

SIR: Referring to my confidential instruction to you, No. 58, of July 20, 1885, touching the long-pending dispute between Great Britain and Venezuela as to the boundaries of British Guiana and the control of the mouths of the Orinoco River, I have now to transmit to you copies of dispatches just received from our minister at Caracas, presenting a new and disquieting phase of the question.

As you will see, Mr. Scott reports the avowed determination of the Government of Venezuela to occupy and assert jurisdiction over territory claimed by that Republic at the mouth of the Orinoco, coupled with the announcement that any interference on the part of Great Britain with the exercise of such visible authority in that quarter by Venezuela will be regarded by the latter as a *casus belli*.

I desire that you should read this dispatch in connection with my No. 58, and Mr. Frelinghuysen's instruction to Mr. Lowell, No. 907, of July 7, 1884, the perusal of which and of the papers thereto annexed will enable you to appreciate the situation now disclosed by Mr. Scott's present communication.

It does not appear that at any time heretofore the good offices of this Government have been actually tendered to avert a rupture between Great Britain and Venezuela. As intimated in my No. 58, our inaction in this regard would seem to be due to the reluctance of Venezuela to have the Government of the United States take any steps having relation to the action of the British Government which might, in appear-

ance even, prejudice the resort to our arbitration or mediation, which Venezuela desired. Nevertheless, the records abundantly testify our friendly concern in the adjustment of the dispute; and the intelligence now received warrants me in tendering, through you, to Her Majesty's Government, the good offices of the United States to promote an amicable settlement of the respective claims of Great Britain and Venezuela in the premises. As proof of the impartiality with which we view the question, we offer our arbitration, if acceptable, to both countries. We do this with the less hesitancy as the dispute turns upon simple and readily ascertainable historical facts.

Her Majesty's Government will readily understand that this attitude of friendly neutrality and entire impartiality touching the merits of the controversy, consisting wholly in a difference of facts between our friends and neighbors, is entirely consistent and compatible with the sense of responsibility that rests upon the United States in relation to the South American Republics. The doctrines we announced two generations ago, at the instance and with the cordial support and approval of the British Government, have lost none of their force or importance in the progress of time, and the Governments of Great Britain and the United States are equally interested in conserving a status the wisdom of which has been demonstrated by the experience of more than half a century.

It is proper, therefore, that you should convey to Lord Iddesleigh, in such sufficiently guarded terms as your discretion may dictate, the satisfaction that would be felt by the Government of the United States in perceiving that its wishes in this regard were permitted to have influence with Her Majesty's Government.

It is not supposed for a moment that any idea of political or territorial expansion of authority on the American Continent can control Her Majesty's counsellors in any action they may take in relation to Venezuela. The declarations of Great Britain in the past, her just and honorable disposition of the Bay Islands question on the lines of harmonious understanding with the United States, and her evident policy at the present day, negative any such conjecture. The dispute with Venezuela is merely one of geographical limits and title, not of attempted political jurisdiction. So believing, what can be more natural than for us to assume that Her Majesty's Government is now, as heretofore, earnestly inclined to accept our friendly suggestions, and, if need be, to avail of the offer of impartial cooperation of the Government of the United States in the interest of that peace and harmony in the Western Hemisphere which the two nations have for so long a period coordinately and with mutual consideration maintained.

It is deemed unnecessary to emphasize more fully the desire felt by those charged with the administration of the Government, not only to avoid all action tending to the embarrassment of Her Britannic Majesty's interest in any quarter, but in a wise and broad spirit to promote their prosperity in the full assurance that our motives will be recognized and such action will be productive of mutuality.

I am, etc.,

T. F. BAYARD.

[Inclosures.]

1. Mr. Scott to Mr. Bayard. No. 108. December 13, 1886. With accompaniments (Printed as Document No. 23, *ante*.)
2. Mr. Scott to Mr. Bayard. No. 111. December 18, 1886. With accompaniments. (Printed as Document No. 24, *ante*.)

No. 28.

Mr. Soteldo to Mr. Bayard.

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, D. C., January 4, 1887.

MOST EXCELLENT SIR: I had the honor to communicate to you during our interviews of the 27th and 29th of December the alarming intelligence received relative to the usurpation on a larger scale of the territory of Venezuelan Guiana by the British authorities of the neighboring colony of Demerara.

It is no longer the boundary extending to the mouth of the Moroco River, instead of that of the Essequibo, as was claimed by Lord Aberdeen in 1844, when he was discussing with the Venezuelan plenipotentiary at London the settlement of a common boundary line between the two countries after the alarming expedition of Schomburgk, the engineer, in 1841. Nor is it the point 29 miles east of Point Barima, as was claimed by Lord Granville in 1881, while discussing the same question, viz, the western boundary of the British colony of Demerara, or, in other words, the eastern boundary of Venezuela. It is the open and undisguised usurpation of all that portion of Guiana that is comprised between the Amacura River and the seacoast, which will deprive us of the key to the Orinoco for communication with the largest system of fluvial navigation in South America.

According to the declarations of the United States Government since the days of President Monroe, more than sixty years ago, up to the present time, such usurpations by foreign powers are not to be permitted. The echo of the voice of the great American statesman is still heard, who, when peace was concluded after the agreement made at Appomattox had been signed, informed the cabinet of the Tuileries that it was impossible to disband the great army of the Republic while French troops occupied the territory of Mexico for the purpose of upholding a foreign government which had not been placed there by the popular will.

The British Government can not have forgotten either the principles upheld by the United States in regard to the acquisition of territory on our continent, or the firm and significant policy of this Republic with regard to the protectorate on the Mosquito Coast, in consequence of which that Government was forced to abandon the idea of maintaining it.

The violation of the territory of Venezuela has been gradually accomplished by means and under pretenses which, in view of the antecedents of the case, appear scarcely credible. The representative of Great Britain at Caracas formally declared in 1850, that the acquisition which has now been so tenaciously insisted upon was not even thought of. By this acquisition Great Britain gains possession of territories which she did not formerly pretend to claim, and violates the stipulations made with Venezuela in the convention signed at that time through reliance on the sincerity of those declarations.

I beg your excellency to be pleased to refer to my communication of April 29, 1885, and to the notes and documents to which reference is therein made; particularly to that addressed by my Government to the United States legation at Caracas under date of July 15, 1882, with two important inclosures, giving the history of the attempts at usurpation made by the settlers of that portion of Demerara lying west of the Essequibo, which attempts have been resisted and checked by the Venezuelan authorities since the time when Venezuela was a colony of Spain,

with the difference that of late years Venezuela has deemed, and still deems, it to be her duty to inform the Washington Government of the particulars of this troublesome question, which threatens the integrity of her territory and the fundamental principle of a wise policy which is necessary to the peace and welfare of both this and of the other Republics of our hemisphere, before venturing upon a course that might not be sufficiently regardful of the harmony of action which is necessary between two nations identified in the same policy.

The confidential memorandum of my Government, bearing date of the 15th of December last, which has been sent to your excellency by the Hon. Mr. Scott, contains a concise statement of the occurrences and attempts at usurpation in our Guiana by the British authorities of Demerara, who have made this return for the peaceful and courteous efforts of the representative of Venezuela at London, whose proposals for arbitration, made in pursuance of the advice of the United States, are answered by fresh usurpations, until the British flag has been hoisted over Venezuelan territory which was formerly in nowise a subject of contention or dispute.

It is difficult for the Government of Venezuela to restrain the popular exasperation that has been produced by outrages which scarcely seem credible in the latter part of the nineteenth century, they having been perpetrated in disregard of that international doctrine which is most highly prized by this nation, as it is by all the other nations of the world which Columbus discovered.

The note of Sir Robert Kerr Porter, dated May 26, 1836, in which he urges the Government of Venezuela, in the name of Great Britain, to erect a light-house on Point Barima, shows with what right Great Britain can now claim to own that same territory, and whether she can claim in good faith to exercise jurisdiction and dominion over the same. I understand that a copy of this note was sent to your excellency, together with the recent memorandum of December 15, 1836.

My Government has tried all possible means to induce that of London to accept arbitration, as advised by the United States; this, however, has resulted in nothing but fresh attempts against the integrity of its territory by the colonial authorities of Demerara. It remains to be seen how long my Government will find it possible to exercise forbearance transcending the limits of its positive official duty.

In this emergency, a formal declaration to the English cabinet of the views entertained by the United States in the premises, or any other efficient measure designed to remedy the evil that your excellency might think proper, might prevent a greater complication with deplorable results in the future.

Venezuela has never doubted that the good offices of this Republic would be extended to her, particularly in the case of abuses that affect the political and social existence of the South American Republics, and that likewise affect the prestige which this Republic is called to maintain in the present state of its preponderance and power and of its glorious historical antecedents.

The question of British usurpations, in view of the highly offensive character of those recently perpetrated by the British colonial authorities, admits of no truce or delay. My Government thinks that it is absolutely necessary to inform your excellency of all the circumstances of the case, in order to avoid the conflicts that would naturally arise from the continued occupation of the territory of Venezuela by the invaders, and from their insistence upon carrying out their plan of wresting a large portion of our Guiana from us, together with the key to the

system of fluvial communication and navigation via the Orinoco, which system is the most extensive and important in South America.

In view of the constantly increasing yield of the gold region of the Yuruary, which belongs to Venezuela, the British authorities of Demerara are seeking to interfere there in every way possible, and to divert the conveyance of the products of our mines to the routes which traverse their colony. They are, moreover, making grants of gold-bearing lands which do not belong to them.

Allow me to lay special stress upon the urgency and importance of the subject of this communication, to the end that your excellency may be pleased to adopt such measures as you may think most appropriate, in consideration of the gravity of the case and of the dangers which it involves, not only as regards Venezuela but all the other independent countries of America, in which the perpetuation of the colonial system can not bear better fruits than those which are now offered us by Demerara and its masters beyond the sea.

I avail myself of this occasion to renew to your excellency the assurance of the high consideration with which I am your excellency's most respectful, obedient, and faithful servant,

A. M. SOTELDO.

His Excellency T. F. BAYARD,
Secretary of State.

No. 29.

Mr. Bayard to Mr. Phelps.

No. 507.]

DEPARTMENT OF STATE,
Washington, January 17, 1887.

SIR: With reference to my instruction 493 of the 30th ultimo to you concerning the question of the boundary between Venezuela and British Guiana, I transmit to you herewith for your information a copy of a recent dispatch from Mr. Scott, our minister at Caracas, on the subject, the Department desiring to put you in possession of all the facts relating to the controversy.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard, December 24, 1886. Copy (printed as Document No. 25, ante).

No. 30.

Mr. Bayard to Mr. Soteldo.

DEPARTMENT OF STATE,
Washington, January 18, 1887.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant touching the territorial claims of British authorities in Demerara.

Accept, sir, etc.,

T. F. BAYARD.

No. 31.

Mr. Scott to Mr. Bayard.

No. 124.]

LEGATION OF THE UNITED STATES,
Caracas, January 21, 1887. (Received January 31.)

SIR: In my No. 108, dated Caracas, December 13, 1886, I reported to the State Department that I had "learned" that the Venezuelan Government would dispatch in a day or two General Muñoz Tébar, a civil engineer, in a man-of-war, the *Revindicador*, to take possession of Barima Point, at the mouth of the Orinoco.

This information proved to be correct in a measure, for, on the 15th day of January, 1887, President Guzman Blanco requested an interview at 2 o'clock p. m. at his residence in this city. In compliance with his request I attended at the designated time and met the President, the minister of foreign affairs, General Tébar, General Santiago Rodie, and others.

Generals Tébar and Rodie were the civil engineers who had just returned from a survey of the "disputed territory" and from a visit to Barima Point, as reported in my No. 108. In inclosure marked No. 1 there are documents which, with the Venezuelan note No. 18, dated Caracas, January 18, 1887, and marked inclosure No. 2, and maps marked inclosure No. 3, you will find a full and complete representation of the true and real condition of affairs as found by the visit of Generals Tébar and Rodie and reported by them to their Government on their return to Caracas, and you will be able, by a perusal of inclosures Nos. 1, 2, and 3, to form a correct conception of the pending difficulties between Venezuela and Great Britain.

At the interview held at the President's residence on the 15th instant all seemed to be impressed with the importance and gravity of the questions under consideration. The interview lasted nearly two hours, and the President spoke most feelingly about the way England had acted. I stated to him that I knew that my Government was most friendly to Venezuela, and that in your No. 81, dated Washington, in reply to my Nos. 108 and 111, you had given utterance to this feeling of friendship, and had referred to what our "Government had done in 1883-'84," when these same questions had "assumed a decided gravity," and that "the Government of the United States can do no less now than in 1884 to manifest its interest for a speedy and satisfactory conclusion." He seemed very grateful for this kindly feeling and interest on the part of our Government, and stated that he "thanked you most sincerely for this evidence of continued friendship and good feeling."

I then stated to him that any documentary evidence that he desired to have transmitted to my Government and which might contribute to an amicable and honorable adjustment of this grave matter I would be pleased to be instrumental in serving him, and inclosures Nos. 1, 2, and 3 have been received at this legation, with the request of President Guzman Blanco to forward the same to you.

From what I have learned matters still look, as I have reported before, "very angry and threatening," and I have seen in the last day or two very active drilling of troops in this city.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure No. 1.—Translation.]

COURT OF POLICY, BRITISH GUIANA.

His excellency the governor and the honorable the court of policy have been pleased, under the thirteenth section of ordinance No. 10 of this year, to divide the colony into the following districts and divisions:

Districts.

- District A. Pomeroon. Divisions No. 1 and 2.
- District B. Arabian Coast. Divisions No. 3 to 6, inclusive.
- District C. Wakenaam, Leguan, and Hog Islands. Divisions No. 7 and 8.
- District D. Essequibo River. Divisions No. 9 to 12, inclusive.
- District E. West Coast, Demerary. Divisions 13 to 17, inclusive.
- District F. East and West Banks, Demerary. Divisions No. 18, 19, 25, 26, and 27.
- District G. Upper Demerara River. Divisions No. 20 to 24, inclusive.
- District H. Georgetown and its suburbs. Divisions No. 28 and 29.
- District I. East Coast. Divisions No. 30 to 35, inclusive.
- District K. Mahaica and Matraicony. Divisions No. 36 to 40, inclusive.
- District L. Berbice, West Coast. Divisions No. 41 to 43, inclusive.
- District M. Upper Berbice River and Upper Canje. Divisions No. 44 to 49, inclusive, with No. 52.
- District N. Town of New Amsterdam and Lower Canje. Divisions No. 50, 51, 53, and 54.
- District O. Corentyne coast. Divisions No. 55, 56, and 57.

Divisions.

- No. 1. Upper Pomeroon River, or West Bank. From Hope and Perseverance to Pilgrim, on Tapacooma Lake.
- No. 2. Lower Pomeroon River, or East Bank. From Aberdeen to MacCassema and coast to Better Success.
- No. 3. From Better Success to Aberdeen, both inclusive.
- No. 4. From Aberdeen to Johanna Cecilia, including the latter.
- No. 5. From Johanna Cecilia to Huis t' Dreren, including the latter and Tiger Island.
- No. 6. From Huis t' Dreren to Good Hope, including the latter.
- No. 7. Island of Wakenaam and Hog Island.
- No. 8. Island of Leguan.
- No. 9. Supenaam Creek.
- No. 10. From Supenaam Creek to Perral Settlement, including the latter, and the other settlements on the Mazaruni and Cuyuni, as well as the islands and creeks, including Foolie Island.
- No. 11. Bartica Grove and both sides of the Essequibo River upwards, with the creeks and islands.
- No. 12. East bank. Essequibo, from opposite Bartica Grove down to Hyde Park, including the latter and Fort Island, etc.

GEORGETOWN, December 10, 1868.

By command.
True copy.

JAS. R. HOLLEGAN.
DIEGO B. URBANEJA.

CARACAS, January 18, 1887.

[Annex A.]

HALL OF THE COURT OF POLICY,
July 16, 1886.

His excellency the governor and the honorable the court of policy have been pleased, under the provisions of ordinance 10, of 1868, to alter the boundaries of registration divisions Nos. 1, 2, 5, 6, 10, 11, and 12, as follows:

Registration division No. 1, to comprise the settlements on the Moruca, Waini, and Barima rivers, and their tributaries, the right bank of the Amacura River and its tributaries on that bank, and all the country lying between the above-named rivers and as far back as the limits of the colony extend.

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Registration division No. 2, to comprise the Pomeroon River and its tributaries and the settlements on the Tapacooma Lake.

Registration division No. 5, to be from Plantation Golden Fleece to the Ikeribisce Creek, including the settlements on latter.

Registration division No. 6, to be from the Ikeribisce Creek to the Supenaam Creek, including Tiger Island.

Registration division No. 10, to be the left bank Essequibo River, from Supenaam Creek to Groote Creek, and on the right bank from Banasigua Creek to Itaca Creek, including the Troolie and other islands, excepting Hog, Fort, and Baboon Islands.

Registration division No. 11, to be from Groote Creek on the left bank and Itaca Creek on the right bank upwards, including all the settlements on the Essequibo, Mazaruni, and Cuyuni Rivers, and their tributaries, as far as the limits of the colony extend.

Registration division No. 12, to be from Bonasigua Creek, inclusive, to Plantation Hyde Park, Parika, including Fort and Baboon Islands.

By command,

CHAS. PIERCY AUSTIN,
Acting Secretary.

True copy.

DIEGO B. URBANEJA.

CARACAS, *January 18, 1887.*

[Annex B.—Translation.]

No. 3.]

UNITED STATES OF VENEZUELA,
December, 1886.

SIR: The undersigned have been commissioned by the President of the Republic to reorganize the district of Amacuro, Barima, and Guayma, comprised within the territorial jurisdiction of the Delta; and we are surprised to find you exercising authority here, by order and in representation of the neighboring colony of British Guiana.

All the territory included between the rivers Amacuro and Guayma belongs to the Republic of Venezuela, against which we protest in the name of its Government.

We would request you to inform us who appointed you to the office you hold, as well as the date of your appointment. Also, if you have received instructions to interfere with the Venezuelan authorities in these districts in the performance of their duties.

We are, etc.,

True copy.

DIEGO B. URBANEJA.

CARACAS, *January 18, 1887.*

[Annex C.]

AMMACORO RIVER, BRITISH GUIANA,
December 24, 1886.

GENTLEMEN: The undersigned have received the official note, dated the 24th of December, 1886, requesting to answer you about our appointments by the English Government of Georgetown, Demerara, and we have the honor to tell you in reality we have been appointed by Mr. Michael McTurk, one of Her Majesty's stipendiary magistrates in and for the colony of British Guiana, to be rural constables in British Guiana, as you have seen it in the precept signed by said Michael McTurk, which we have sent to you. We also inform you that the undersigned Francis Stephen Neame has been acting as rural constable since the 1st of March, 1885, and the undersigned George Benjamin Jeffrey has been appointed acting as rural constable since the 6th of September, 1886—constables in Amacuro River.

We have not received instructions to interfere with the Venezuelan authorities on the left hand going down the Amacuro River, but we have authority to prevent any Venezuelan craft from selling rum or any spirituous liquor under British territories; in which case any ship selling rum without a proper license given by our Government may be seized at any time.

We remain, gentlemen, your obedient servants,

FRANCIS STEPHEN NEAME,
G. B. JEFFREY.

To Mr. Dr. J. MUÑOZ TEBAR and SANTIAGO RODIL.

True copy.

DIEGO B. URBANEJA.

CARACAS, *January 18, 1887.*

[Annex D.]

The Venezuelan commissioners, Jesus Muñoz Tebar and Santiago Rodil, to the Venezuelan consul in Georgetown.

Dated "On board the Venezuelan man-of-war *Centenario*," anchored in the River Demerara, off Georgetown, January 1, 1887.

(Printed as "Act No. 14," attached to Document No. 54 *post*.)

[Annex E.]

Charles Bruce, Government secretary of Demerara, to Señor Manuel L. R. Anarado, Venezuelan consul at Georgetown.

Dated "No. 141, Government secretary's office, Georgetown, Demerara, 6th January, 1887."

(Printed as part of "Act No. 15," attached to Document No. 54 *post*.)

[Annex F.]

Extract from the London Gazette, dated 22d October, 1886. Being a notice addressed by the British colonial office to the colony of British Guiana, dated 21st October, 1886.

(Printed as part of "Act No. 15," attached to Document No. 54, *post*.)

Mr. Urbaneja to Mr. Scott.

[Inclosure No. 2.—Translation.]

D. E. P. No. 18.]

CARACAS, January 18, 1887.

SIR: In the conference held by the President with your excellency on Saturday, the 15th inst., the subject of conversation was the events in Guiana.

He stated, first of all, that in the map which lay before him, as well as in a great many others, the mistake had been made of showing river Barima as an affluent of the Orinoco, whereas it is in reality but one of the channels through which the waters of the last-named river empty into the Atlantic Ocean. These waters follow the direction of what was thought to be the mouth of the Barima, and descending its bed towards the southeast, join the Morajuana and pour into the ocean, so that the delta of the Orinoco commences at the mouth of the Morajuana.

The above is the result of personal observations just made on the spot, which they have surveyed, by engineer Dr. Jesus Muñoz Tebar and General Santiago Rodil, who were sent in December to Barima and other places to erect a light-house, to appoint new officials to perform other acts of authority, and to assure themselves of the state of affairs there.

The President next proceeded to state to your excellency that when, in 1814, the Netherlands made over the colonies of Essequibo, Demerara, and Berbice to His Britannic Majesty, the latter found that the Dutch had commenced to advance beyond the Essequibo, which limit they were not allowed to trespass, as far as the Pomaron, and took possession of the territory described in Codazzi's map as "usurped by the English."

That in order to convert this possession *de facto* into a legal one, the English minister, Lord Aberdeen, proposed in 1844 to the plenipotentiary of Venezuela, Dr. Fortique, to mark out the limits from river Moroco, which was not accepted by the Government of the Republic, as, in accordance with the latter's rights, it had given orders to its minister to present, as he did present on the opening of the negotiations, the line of the Essequibo, to which it is entitled as heir to Spain.

Matters were then left without a settlement, but the English continued advancing towards the north. Venezuela, who since 1841 had been protesting against these usur-

pations, resented this, and on this account Mr. Wilson, then British chargé d'affaires, declared, in November, 1850, in the name of and authorized by his Government, that Great Britain had no wish to claim the Venezuelan Guiana; that she would not occupy or trespass upon the disputed territory, neither would she order such occupation or trespassing to be made, nor sanction them on the part of her authorities; and requested that Venezuela should make a similar declaration.

The latter acceded to the request, and the matter was arranged by the exchange of official notes. In spite of this agreement, which was to remain in force until the settlement of the question, Great Britain has not only continued advancing in every way upon Venezuelan territory, but has gone so far as the eastern shore of the Amacuro, occupying a portion of territory which the Republic had never understood would be disputed to her.

The accompanying copies will show your excellency that in 1868 the governor of Demerara, in his resolution on the division of registers, did not go beyond river Pomaron, while in the new resolution of 16th of July, 1886, which cancels the former, he has extended said divisions to the Amacuro, declaring as British territory its right shore, its tributaries on the same side, and the whole of the land comprised between said river, the Moroco, the Guainia and the Barima, and backwards as far as where the limits of the colony reach.

He has issued another decree, dated on the 12th of November, 1886, by order of Her Majesty's Government, by which he denies the validity of all concessions of lands granted by Venezuela, if they concern the places claimed by Great Britain, threatening to prosecute as trespassers all persons who may exercise any rights thus conferred.

The commissioners, Dr. Muñoz Tebar and General Santiago Rodil, report that they found English constables on the eastern shore of the Amacuro, to wit, Messrs. Francis Neame and George Jeffrey, appointed by the magistrate, Mr. Michael McTurk, according to their inclosed manuscript answers, besides a wooden house which serves as a public office, and was built, as they were told, by order of the authorities of the colony. Another constable existed at the settlement of Aruca, according to the information of the inhabitants. At Cuabana they heard that a missionary, Mr. Walter Heard, had built seven years ago, at the expense of the village, a hut to serve as a church and schoolhouse, the master of which is paid by a religious congregation; that in the marriage registers which are kept there it is stated that the village belongs to the county of Essequibo.

The commissioners also ascertained that gold mines were being worked on Venezuela territory, situated between rivers Cuyuni, Mazaruni, and Puruni, and that large quantities of that mineral had been exported through the English custom-house in Demerara.

The commissioners likewise proved, by the shown depositions of the commissaries, Messrs. Roberto Wells, Aniceto Ramones, and Alfonso Figueredo, the facts of the arrest of the first named in January, 1884, at the settlement of Amacuro by the so-called magistrate, Mr. McTurk, his conveyance to Georgetown, his trial and imprisonment in the gaol of this city during two months, and the sentence to pay a fine of \$25; of the visit there of an English magistrate accompanied by several armed police officers, in a revenue cutter called the *Transfer*, flying the British flag, who exercised various acts of authority, such as the trying and deciding of criminal and police cases; of the searching of vessels coming from Ciudad Bolivar and legally dispatched there, and the prohibition to them, at Amacuro, as well as at Barima, from selling the merchandise they carry there, especially rum and tobacco, unless provided with a license from the authorities in Demerara.

The commissioners thought proper to go to Georgetown and acquaint the Government of Demerara with the objects of their commission, with what they had done by virtue of the same, and the comprobated invasions of our territory.

This they did through a communication to the Venezuelan consul in that capital, which this official transmitted to the governor of the English colony. His secretary's only answer, dated on the 6th of the present month, was that he referred the commissioners to the notice published in the London Gazette of the 21st of October, 1886, by order of Her Majesty's Government; that the districts to which the note of the commissioners refer are within the terms of said notice, and are a part of the colony of British Guiana.

The notice states that whereas the question of limits of British Guiana and the Republic of Venezuela is pending between the two Governments, and whereas Her Majesty's Government is aware that grants or concessions of land within the territory claimed by Her Majesty's Government have been made, or are about to be made, by that of Venezuela; therefore, be it proclaimed and notice given, that the validity of said grants or concessions will not be recognized, and that any person who may take possession of such lands, or exercise any rights thereon, on pretense of such titles, will be prosecuted as a trespasser according to the laws of the colony. The notice ends by saying that in the library of the colonial office in Downing street or in the office

f the Government's secretary, in Demarara, may be seen a map showing the limits between British Guiana and Venezuela, as claimed by Her Majesty's Government.

The foregoing measure has been but a pretext for the British Government to arbitrarily and on its own authority, and without the concurrence of the Government of Venezuela, fix the limits which are most convenient to its purpose of appropriating the Orinoco. These are the same marked out by Engineer Schomburgk in 1841, with no other guide than his own fancy, and to mark which he placed a sentry box, posts, flags, monograms, and other marks of dominion on Venezuelan territory. This scandalous invasion created the greatest displeasure in this country, who saw a powerful nation threatening a large portion of territory, including the great artery of the north of the South American continent, which belongs to it by right, and which it had always quietly possessed.

The Government of the Republic sent at the time a commission to Demarara to request an explanation of these unforeseen occurrences from the governor, and at the same time instructed its minister in London to make the necessary remonstrances and specially demand the removal of such marks of dominion.

The commissioners to Demarara held a conference with the governor, who said to them that "as the true limits between the two Guianas are in reality undetermined and under discussion, Mr. Schomburgk's action has not been, nor could have been, performed with any intention of taking possession, but should be regarded as a simple marking out of the line presumed upon by British Guiana, and, therefore, while the limits are still undetermined the Government of Venezuela may rest assured that no orders will be issued for the erection of a fort on the land in question, nor will any soldiers or forces of any kind be sent there."

Lord Aberdeen wrote to Mr. Fortique on the 11th of December, 1841, as follows:

"The undersigned begs leave to refer to his note of the 21st of October last, in which he explained to Mr. Fortique that the proceeding of Mr. Schomburgk in planting boundary posts at certain points of the country which he has surveyed was merely a preliminary measure, open to future discussion between the two Governments, and that it would be premature to make a boundary treaty before the survey shall be completed.

"The undersigned has only further to state that much unnecessary inconvenience would result from the removal of the posts fixed by Mr. Schomburgk, as they will afford the only tangible means by which Her Majesty's Government can be prepared to discuss the question of the boundaries with the Government of Venezuela. Those posts were erected for that express purpose, and not, as the Venezuelan Government appears to apprehend, as indications of dominion and empire on the part of Great Britain. And the undersigned is glad to learn, from Mr. Fortique's note of the 8th instant, that the Venezuelan gentlemen who have been sent by their Government to British Guiana have had the means of ascertaining from the governor of that colony that the British authorities have not occupied Point Barima."

Shortly after, on the 31st of January, Lord Aberdeen agreed to the removal of the marks, with the object of putting an end to the misunderstanding which existed in Venezuela regarding the object of Mr. Schomburgk's survey, and out of consideration to Mr. Fortique's renewed representations.

Now, all the explanations given at that time by the British Government prove to be void. It then excused the fact of the placing of the marks by saying that they did not indicate dominion; it explained them as means of indicating lands; it denied that they were marks of occupation; it considered the alarm and excitement created in Venezuela by these events as justifiable, and it ordered the removal of the posts, etc., because it doubtless considered that the remonstrances of the Republic were just. Now it is quite the contrary. The British Government has proceeded to occupy precisely the same territory which witnessed the scenes of that period under the fallacious pretext that, as it says, it is under dispute, forgetting that, even were such a dispute in existence, it has blamed in others the very same acts it has just done itself in Venezuela. Certainly no greater contempt of right can be shown nor a greater absurdity be spoken than to declare the existence of a dispute about territory, and to appropriate it on this ground when the natural proceeding in this case should be to respect it in view of at least a doubt about the ownership thereof.

On the 28th day of July, 1886, General Guzman Blanco, then minister of Venezuela in England, addressed to the British Government a note, in which, after having stated the antecedents, he complained of the acts of the English authorities in Guiana since October, 1884, to wit, the entering of Venezuelan territory through forbidden places, the invasion of various points, the posting of notices on trees on the shores of the rivers, by which it is intimated that British laws are in force; the kidnapping, trial, and punishment of Commissary Roberto Wells under accusation of a fault committed in the jurisdiction of Venezuela; that representations of the grievances put upon the latter, and the demand of proper reparation, not only have not merited a reply so far, but have been followed by new aggressive acts up to the aforesaid 21st of October. From all this may be seen that the means of friendly negotiations for the bringing of this conflict to an end has not been left unemployed.

It is evident, therefore, that Great Britain only aspires to become mistress of the auriferous lands of Venezuela and of the great Orinoco, which never belonged to the Dutch. The establishments of which the Münster treaty of 1648 left her in possession were only those of the Essequibo, Demerara, Berbice, and Surinam, as has been confirmed by the extradition treaty between Spain and Holland, signed in Aranjuez on the 23d of June, 1791, and these same colonies, excepting the last named, were obtained by England through the London treaty of 13th of August, 1814. Neither the Dutch nor the English have ever had any right to the Orinoco nor its surroundings.

For the better understanding of what has been stated, a map of the eastern part of Venezuela is inclosed, showing the invasions of her territory by the British Government.

The President is extremely obliged for the friendly intervention of the United States in 1883 and 1884, for the amicable settlement of this question, which they now offer to continue. It is the more necessary that he now finds himself in a very critical position. Within a month and a few days Congress will meet, and he must present without delay the message in which he will render an account of the state of the Republic; and the first and most important duty of the head of the nation being to preserve it from all outward attacks, he can not inform the legislature of the invasion of its territory, and that precisely the portion of it on which the future of Venezuela is centered, without at the same time informing it of the measures taken for the defense of the national sovereignty so grievously wounded.

If the Republic had a sufficiently large army and navy, she would long ago have chased away the intruding usurper; but as prudence demands a different course of conduct, and as she fears that she is being provoked into a war which would be a new pretext for taking possession, not only of a portion of Guiana, but of the whole of it, the least she can do is to sever her diplomatic relations with a power which by right of might has torn from her the sacred proprietorship of her territory. A speedy answer from Washington is therefore urgently necessary.

I repeat that Venezuela has been, is, and will always be willing to submit to the decision of an arbitrator on the rights of this question of limits, and that she has repeatedly proposed to Great Britain to adopt this course. This is what General Guzman Blanco did during his last stay in London, in his negotiation with Lord Granville, Lord Salisbury, Lord Rosebery, and Lord Iddesleigh. The first named refused at first to agree to the arbitration of a nation or of persons capable by their science; but he finally accepted arbitration as the only means of deciding all disputes between the two countries, under the terms of article 109 of the constitution, now in force, of Venezuela. The treaty of commerce was going to be signed, in which said clause was to have been added, including of course the question of demarcation, when a change of ministry took place, and the new minister, Lord Salisbury, retracted from the agreement of his predecessor, saying that Her Majesty's Government could not apply arbitration to a question of limits. It was in vain that the Venezuelan legation reminded him that Her Majesty's Government had used this method in deciding the question of the same nature with the United States in 1827, in relation to the marking out of the limits of certain portions of its possessions in North America, and in 1871 in relation to the canal of Haro, the arbitrator in the former case being the King of the Netherlands, and in the latter the present Emperor of Germany; it was in vain that the legation called to its aid the circumstance that in the second example it was England herself who urged for arbitration as often as on six different occasions; it was vain that an appeal was made to the speeches of Lord Salisbury himself, in which he made it a point of demonstrating the necessity of England's redeeming her given word, without taking the changes of administration into account; it was in vain alleged that this was the course of proceeding used then with Russia in the Afghanistan question. Lord Salisbury persisted in his refusal, without giving any reason for it, and the negotiation was "labor lost." When Mr. Gladstone returned to power in 1886, General Guzman Blanco renewed his instances, but without success, because Lord Rosebery did not maintain Lord Granville's agreement, but proposed in its place an unacceptable plan, viz, to take as pretension of the two parts the line indicated in February, 1881, by Dr. Rojas without authority from this Government, and that offered by Lord Granville in September of the same year, and intrust to an arbitrator or to a mixed commission the equal division of the intermediate territory, but leaving Great Britain in possession of the Guiana, to which it attaches great importance.

Begging your excellency to kindly send this note to the Government of the United States as early as possible,

I am your excellency's most obedient servant,

DIEGO B. URBANEJA.

[Inclosure No. 3.]

Map of the territory in dispute between Venezuela and Great Britain. (Printed as an annex to Document No. 58, *post.*)

No. 32.

Mr. Scott to Mr. Bayard.

No. 130.]

LEGATION OF THE UNITED STATES,
Caracas, February 1, 1887. (Received February 11.)

SIR: At the request of Dr. Urbaneja, minister of foreign affairs, I have the honor to transmit to you a translation of a note addressed, on the 26th instant, by him to the Hon. F. R. St. John, British minister at Caracas.

You will perceive by a perusal of said note, embraced in inclosure No. 1, that it recites fully the main points involved in the present difficulty between Venezuela and Great Britain in regard to the disputed boundary between the former and British Guiana. The note from Dr. Urbaneja closes by a declaration on the part of Venezuela that if England does not recede from her present position the diplomatic relations now existing between the two countries will be severed on the 20th day of this month (February), when Congress meets.

From what I can learn, England will not recede, and the severance of diplomatic relations between that country and Venezuela seems to be inevitable.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure with Mr. Scott's 130.]

Señor Urbaneja, Venezuelan minister of foreign affairs, to Mr. St. John, British minister resident at Caracas. Dated January 26, 1887. (Printed as inclosure No. 55 to Document No. 58, *post*.)

No. 33.

Mr. Bayard to Mr. Scott.

No. 92.]

DEPARTMENT OF STATE,
Washington, February 7, 1887.

SIR: I have sent a copy of your No. 124, of the 21st ultimo, concerning the boundary dispute between Venezuela and Great Britain, and of the papers therewith to our minister in London for his information, with a reference to a previous instruction on the subject.

I am, etc.,

T. F. BAYARD.

No. 34.

Mr. Bayard to Mr. Phelps.

No. 533.]

DEPARTMENT OF STATE,
Washington, February 7, 1887.

SIR: With reference to my instruction No. 493, of the 30th of December last, in relation to the pending difficulty between Great Britain

and Venezuela in regard to the boundary between British Guiana and Venezuela; and referring also to the subsequent correspondence on the subject, I now transmit to you herewith for your information a copy of a dispatch from Mr. Scott, our minister at Caracas, in relation to the matter.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard. No. 124. January 21, 1887. (Printed as Document No. 31, ante.)

No. 35.

Mr. Phelps to Mr. Bayard.

No. 436.]

LEGATION OF THE UNITED STATES,
London, February 11, 1887. (Received February 21.)

SIR: Referring to your instructions numbered 58, of July 20, 1885; 493, of December 30, 1886; 507, of January 17, and 516, of January 21, 1887, I have the honor to inclose herewith the copy of a note, which I addressed on the 8th instant, in accordance with the aforesaid instructions, to the Marquis of Salisbury.

The date mentioned is the very earliest at which I deemed it possible, in view of the recent modifications in the cabinet consequent upon the resignation of Lord Randolph Churchill, to obtain the serious attention of Her Majesty's Government to the subject of Venezuelan affairs.

I shall lose no time in transmitting to you, the moment it reaches me, a copy of Lord Salisbury's reply.

I have the honor to be, etc.,

E. J. PHELPS.

[Inclosure in No. 436.]

Mr. Phelps to Lord Salisbury.

LEGATION OF THE UNITED STATES,
London, February 8, 1887.

MY LORD: I have received instructions from my Government to make to your lordship a communication in its behalf on the subject of the dispute which it is informed has arisen between Her Majesty's Government and that of Venezuela, touching the boundary line which separates that country from British Guiana.

I am instructed to tender to Her Majesty's Government the good offices of the United States to promote an amicable settlement of the respective claims of Great Britain and Venezuela in the premises, and the arbitration of the United States Government in respect to the questions involved, which are understood only to refer to historical facts, should such arbitration prove acceptable to both parties.

In the instructions above mentioned the Secretary of State for the United States observes as follows:

"Her Majesty's Government will readily understand that the attitude of the United States Government of friendly neutrality and entire impartiality touching the merits of the controversy * * * is entirely consistent and compatible with the sense of responsibility that rests upon the United States in relation to the South American republics. The doctrines we announced two generations ago, at the instance, and with the cordial support and approval of the British Government, have lost none of their

force or importance in the progress of time, and the Governments of Great Britain and the United States are equally interested in conserving a status the wisdom of which has been demonstrated by the experience of more than half a century.

"It is not supposed for a moment that any idea of political or territorial expansion of authority on the American continent can control Her Majesty's counsellors in any action they may take in relation to Venezuela. The declarations of Great Britain in the past, her just and honorable disposition of the Bay Islands questions on the line of harmonious understanding with the United States, and her evident policy at the present day, negative any such conjecture. The dispute with Venezuela is merely one of geographical limits and title, not of attempted political jurisdiction. So believing, what can be more natural than for us to assume that Her Majesty's Government is now, as heretofore, earnestly inclined to accept our friendly suggestions and, if need be, to avail of the offer of impartial cooperation of the Government of the United States, in the interest of that peace and harmony in the western hemisphere which the two nations have for so long a period coordinately and with mutual consideration maintained.

"It is deemed unnecessary to emphasize more fully the desire felt by those charged with the administration of this Government, not only to avoid all action tending to the embarrassment of Her Britannic Majesty's interests in any quarter, but in a wise and broad spirit to promote their prosperity, in the full assurance that our motives will be recognized and such action will be productive of neutrality."

I need add to the language of the Secretary of State no further assurance of the satisfaction that will be felt by the United States Government if it shall perceive that its wishes in this regard are permitted to have influence with Her Majesty's Government.

I have, etc.,

E. J. PHELPS.

No. 36.

Mr. Bayard to Mr. Phelps.

No. 537.]

DEPARTMENT OF STATE,
Washington, February 14, 1887.

SIR: With reference to my previous instructions to you concerning the pending difficulty between Great Britain and Venezuela in relation to the boundary of British Guiana, I now transmit to you, herewith, for your further consideration, a copy of a note from Mr. Urbaneja, the Venezuelan minister of foreign affairs, to Mr. St. John, Her Britannic Majesty's minister at Bogota, a copy of which accompanied Mr. Scott's dispatch No. 130 to this Department. Mr. Urbaneja's note is dated January 26, 1887.

Calling your attention to the Venezuelan declaration, that if a reply is not received from Great Britain, or if a negative answer is returned by February 20, the date of the meeting of the Venezuelan congress, diplomatic relations will be broken off.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Urbaneja to Mr. St. John, January 26, 1887. (Printed as Inclosure No. 55, to Document No. 58, *post.*)

S. Ex. 226—6

No. 37.

Mr. Scott to Mr. Bayard.

No. 133.]

LEGATION OF THE UNITED STATES,
Caracas, February 14, 1887. (Received February 23.)

SIR: Inclosed you will find a copy of the correspondence between the British minister, Mr. St. John, and Señor Urbaneja, the minister of exterior relations for Venezuela. This correspondence is embraced in inclosures Nos. 1 and 2, and hereto appended.

The views expressed in my D. S. No. 130, dated Caracas, February 1, 1887, were correct, for there is no possible chance now to prevent the severance of all diplomatic relations between Venezuela and Great Britain. Mr. St. John, the British minister, will leave here on to-morrow, the 15th instant, for La Guayra, and will sail for England as soon as possible after the 20th instant, the time designated by General Guzman Blanco for the severance of all diplomatic relations between the two countries.

A perusal of inclosures Nos. 1 and 2, hereto attached, will convey to you a correct idea of the exact and present situation between Great Britain and Venezuela relative to the disputed territory.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure 1 with Mr. Scott's No. 133.]

Mr. St. John, British minister resident at Caracas, to Señor Urbaneja, Venezuelan minister for foreign affairs, January 31, 1887. (Printed as Inclosure No. 56 to Document No. 58, *post.*)

[Inclosure 2 with Mr. Scott's No. 133.]

Señor Urbaneja to Mr. St. John, Caracas, January 31, 1887. (Printed as Inclosure No. 57 to Document No. 58, *post.*)

[Inclosure 3 with Mr. Scott's No. 133.]

[Inclosure No. 3 in No. 133.]

Mr. St. John to Dr. Urbaneja.

BRITISH LEGATION,
Caracas, February 7, 1887.

SEÑOR MINISTER: I have to acknowledge the receipt of two notes on the Guiana frontier question which your excellency did me the honor to address to me, one dated the 26th and the other the 31st ultimo, and I must express my astonishment that despite the positive assurance I gave, which was afterwards confirmed by Her Majesty's Government, namely, that Sir Robert Porter's request in 1836 for the placing of a light at Barima Point had been made without the authority or even the knowledge of Her Majesty's Government, the Government of Venezuela should doubt the statement and persist in regarding the circumstance as justifying their claim to the spot. As well might it on the other side be argued that the merchants of Ciudad Bolívar, or Angostura, as it was then called, presumably from their proximity, better acquainted than Sir Robert with the locality, having petitioned him rather than the Venezuelan local authorities for the means of safer navigation, that the circumstance proved that the merchants looked upon Barima Point as British and not Venezuelan territory.

With equal surprise do I observe that, notwithstanding your excellency's allusion in your first note to the several instances, namely, in 1844, 1851, 1886, in which Her Majesty's Government have from a friendly feeling to Venezuela offered to cede the lower right bank of the Orinoco, your excellency should affirm in your second note that the Venezuelan Government now for the first time learn (by my note of the 31st ultimo) that the territory claimed by Great Britain extends to the Orinoco.

I have only to add that your excellency's first note was transmitted a few days ago to Her Majesty's Government, and that your second note will be forwarded by the next opportunity.

I avail, etc.,

F. R. ST. JOHN.

No. 38.

Mr. Scott to Mr. Bayard.

No. 137.]

LEGATION OF THE UNITED STATES,
Caracas, February 24, 1887. (Received March 7.)

SIR: In my D. S. No. 133, dated Caracas, February 14, 1887, I informed you that in my opinion there was no possible chance of preventing a severance of diplomatic relations between Venezuela and Great Britain. This opinion was formed and based on the note that General Guzman Blanco had addressed to Mr. St. John, the British minister, informing him that all diplomatic relations between Venezuela and England would be severed on the 20th instant, unless England evacuated the territory in dispute between the two countries, and the assurance from Mr. St. John, the British minister, that his country would never consent to any such proposition.

Mr. St. John was so certain and positive in regard to the severance of diplomatic relations that he gave up his rented house, sold out all his household furniture, and left Caracas on the 15th instant (as stated in No. 133) for La Guayra, ready to sail for his country.

On Sunday, the 20th instant, the day designated by President Blanco for the severance of diplomatic relations, there entered the harbor of La Guayra three British men-of-war, viz, the *Comus*, the *Lily*, and the *Bull Frog*, commanded by Captain Jackson, of the royal navy, and a part of the large British fleet now in these waters. These war ships cast their anchors in the harbor of La Guayra about 1 o'clock p. m. on the 20th instant and are there now subject to the order of Mr. St. John, the British minister.

On the evening of the 21st instant, the day after the arrival of the three above-mentioned war vessels, I met Mr. St. John, who had returned to Caracas that morning, and I inquired of him about the situation of affairs.

He replied to my inquiry that he had received a note that morning (the 21st instant, the day after the arrival of the English men-of-war into the harbor of La Guayra) "from the Venezuelan Government, stating that there would not be a severance of diplomatic relations," but merely a "suspension," and that "this strange action on the part of the Venezuelan Government had changed the whole phase of affairs."

Mr. St. John is awaiting dispatches from his Government and would have been in receipt of them before this, but the telegraphic communications between Trinidad and England have been interrupted for the last week for some unknown cause. The above is about the sum and substance of what has transpired since my No. 133. I shall keep this dispatch open to the last moment of the closing of the mail, and if any-

thing of importance occurs will apprise you of it, as all is involved in doubt and uncertainty at this writing, and many rumors afloat.

I have, etc.,

CHARLES L. SCOTT.

No. 39.

Mr. Phelps to Mr. Bayard.

No. 447.]

LEGATION OF THE UNITED STATES,
London, February 24, 1887. (Received March 8.)

SIR: With reference to your instructions numbered 493, 507, 516, 533, and to my dispatch numbered 436 of 11th instant, I have the honor to inclose herewith a copy of the note which I have just received from Lord Salisbury in reply to mine, of which a copy was transmitted to you in my dispatch aforesaid, with respect to the differences between this country and Venezuela.

You will observe that Her Majesty's Government declined the offer to mediate, which I tendered in behalf of the United States.

I have the honor, etc.,

E. J. PHELPS.

[Inclosure in No. 447.]

Lord Salisbury to Mr. Phelps.

FOREIGN OFFICE, *February 22, 1887.*

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, tendering the good offices of the United States to promote a settlement of the dispute which has arisen between Her Majesty's Government and that of Venezuela with regard to the boundary line between that country and British Guiana, and suggesting the arbitration of the United States Government in respect to the historical facts involved.

Her Majesty's Government fully appreciate the friendly feelings which have prompted your Government to offer their mediation in this matter.

The attitude, however, which General Guzman Blanco has now taken up in regard to the questions at issue precludes Her Majesty's Government from submitting those questions at the present moment to the arbitration of any third power.

An offer to mediate in the questions at issue between this country and Venezuela has already been received by Her Majesty's Government from another quarter, and has been declined on the same grounds.

I beg that you will convey to the Secretary of State the cordial thanks of the Queen's Government for your communication, and that you will inform him that they have not yet abandoned all hope of a settlement by direct diplomatic negotiations with Venezuela.

I have the honor to be, etc.,

SALISBURY.

No. 40.

Mr. Bayard to Mr. Scott.

No. 95.]

DEPARTMENT OF STATE,
Washington, February 25, 1887.

SIR: I have to acknowledge the receipt of your No. 133, of the 14th instant, on the boundary question between Venezuela and Great Britain.

A copy will be sent to our minister at London, for his information.

I am, etc.,

T. F. BAYARD.

No. 41.

Mr. Bayard to Mr. Phelps.

No. 547.]

DEPARTMENT OF STATE,
Washington, February 25, 1887.

SIR: With reference to previous correspondence concerning the pending difficulty between Great Britain and Venezuela in relation to the boundary question, I now transmit to you, herewith, a copy of a dispatch in regard to the matter which has just been received from Mr. Scott, our minister at Caracas. This copy is sent in order that you may be promptly put in possession of all the facts relating to the subject known to the Department.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard, No. 133. February 14, 1887. (Printed as Document No. 37, ante.)

No. 42.

Mr. Scott to Mr. Bayard.

No. 139.]

LEGATION OF THE UNITED STATES,
Caracas, February 25, 1887. (Received March 7.)

SIR: The mail will soon close for the United States, and I have only time to inclose and transmit to you the accompanying documents, just received, embraced in inclosures Nos. 1, 2, and 3, in compliance with a request of the Venezuelan Government.

A perusal of said inclosures will acquaint you with their nature and character, as I have not time to comment on the same.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure No. 1 with Mr. Scott's No. 139.]

Mr. St. John to Dr. Urbaneja.

BRITISH LEGATION,
Caracas, February 11, 1887.

SEÑOR MINISTER: Having telegraphed to her Majesty's Government the substance of your excellency's note to me of the 26th ultimo, I have this moment received, by telegraph, instructions from her Majesty's principal secretary of state for foreign affairs to state to you in reply that the Government of her Majesty, while still prepared to enter into friendly negotiations with the object of settling the Guiana boundary question, are unable to accede to the present demands of the Government of Venezuela, much as they would regret the action indicated in the note from your excellency, above mentioned.

I avail, etc.,

F. R. ST. JOHN.

A true copy.
DIEGO W. URBANEJA.

[Inclosure No. 2 with Mr. Scott's No. 139.]

Mr. St. John, British minister resident at Caracas, to Señor Urbaneja, Venezuelan minister for foreign affairs, February 19, 1887. (Printed as inclosure No. 61 to document No. 58, *post.*)

[Inclosure No. 3 with Mr. Scott's No. 139.]

Señor Urbaneja to Mr. St. John, Caracas, February 20, 1887. (Printed as inclosure No. 62 to document No. 58, *post.*)

Nc. 43.

Mr. White to Mr. Bayard.

No. 454.]

LEGATION OF THE UNITED STATES,
London, March 2, 1887. (Received March 14.)

SIR: With reference to your instruction numbered 537, of the 14th ultimo, and to previous correspondence respecting the questions at issue between this country and Venezuela, I have the honor to inclose herewith for your information an extract from the parliamentary report in yesterday's Times, containing the answer made by Sir J. Fergusson, under secretary of state for foreign affairs, to a question put to him as to the rupture of diplomatic relations between Great Britain and Venezuela.

I have, etc.,

HENRY WHITE.

[Inclosure in No. 454.]

SUSPENSION OF RELATIONS WITH VENEZUELA.

[From the report of parliamentary proceedings of February 28, 1887.]

Mr. Vincent asked the under secretary of state for foreign affairs whether it was true that diplomatic relations with the Government of Venezuela had been suspended. Sir J. FERGUSSON. Her Majesty's Government have received intelligence that diplomatic relations would be suspended between Her Majesty's Government and the Republic of Venezuela on the 21st instant. The cause of the suspension is stated to be the difference about the frontier between British Guiana and Venezuela. (*The Times*, March 1, 1887.)

No. 44.

Mr. White to Mr. Bayard.

No. 461.]

LEGATION OF THE UNITED STATES,
London, March 8, 1887. (Received March 21.)

SIR: Referring to previous correspondence with respect to the questions at issue between Great Britain and Venezuela, I have the honor to inclose herewith for your information an extract from the Times of to-day, embodying a question asked yesterday on this subject, in the House of Commons, of the under secretary of state for foreign affairs, and his answer to the same.

You will observe that Sir James Fergusson admits that Her Majesty's Government claim practically the territory included within the boundary line drawn by Sir R. Schomberg.

I have, etc.,

HENRY WHITE.

[Inclosure to No. 461.]

ENGLAND AND VENEZUELA.

[Parliamentary proceedings, March 7, 1887.]

Mr. Watt asked the under secretary of state for foreign affairs whether the present boundary line claimed by the British Government as between British Guiana and the United States of Venezuela was based upon the map, surveys, and report of Sir Robert Schomberg; whether the Government were aware that antecedent to the treaty of Munster the recognized boundary line between Dutch (now British) Guiana and the Spanish (now Venezuelan) territory was the water-sheds of the Yuruari, Yuruan, and Cuyuni rivers; whether the population of these districts contained 90 per cent of British subjects and an enormous amount of British property; and if the Government would postpone a final decision on the subject until further information could be obtained.

Sir J. FERGUSSON. The boundary line claimed by the British Government is based on the map, survey, and report of Sir R. Schomberg. It would be impossible within the limits of my answer to describe the boundary line of Dutch Guiana and the adjacent Spanish territory previous to the treaty of Munster, in 1648, as far as it is known to us. Information as to the British population in the Yuruari districts in 1884 is contained in a report by Vice-Consul Reddan, presented to Parliament (Commercial, No. 38) of that year. Her Majesty's Government will be careful to collect all the information possible before arriving at any final arrangement. (*The Times*, March 8, 1887.)

No. 45.

Mr. Scott to Mr. Bayard.

No 143.]

LEGATION OF THE UNITED STATES,
Caracas, March 9, 1887. (Received March 19.)

SIR: I have the honor of transmitting to you a copy of the *Gaceta Oficial* of the 7th instant, and only received at this legation to-day, which contains the message of President Guzman Blanco delivered to the Congress of Venezuela on the 7th of March, 1887.

The mail for the United States will close in a few hours, and I have not sufficient time to have said message translated, but recognizing the importance of the document, and knowing that it would be ten or twelve days before the next mail leaves for the United States, I have concluded to send as inclosure No. 1 the message as it appears in the *Gaceta Oficial* of the 7th instant, and the translator of the State Department at Washington can translate the same for your information.

I have marked that portion of the message that has reference to the "claims convention of December 5, 1885," and also that portion that alludes to the present difficulty between Venezuela and Great Britain in regard to the boundary questions between Venezuela and British Guiana, presuming that you will feel the most interest in these two important questions.

I have the honor to be, sir, your most obedient servant,

CHARLES L. SCOTT.

[Inclosure in No. 142.]

TRANSLATION OF THAT PART OF THE PRESIDENT'S MESSAGE RELATIVE TO THE BOUNDARY DISPUTE WITH GREAT BRITAIN.

The question of the Guianian boundary has become so greatly aggravated that it behoves me to speak with deep pain touching our relations with Great Britain.

While in London, as minister of Venezuela, I discussed with the Government of Her Britannic Majesty our three pending questions: Diplomatic claims, differential duties upon British West India islands, and the Guianian boundary.

The first may be said to have been settled, and the other two are combined in the draft of a new treaty to be substituted for the present one, which has now been in existence for fifty-eight years, and which is subjected to the inconceivable interpretation of being perpetual, a claim which Great Britain imposes upon us under the pretext that in the treaty itself no date is fixed for its termination.

The draft of a new treaty, after a year of discussion, was agreed upon with Earl Granville, then minister for foreign affairs. It equalizes the duties in respect of the British West Indian islands with those relative to the mother country; it accepts on both sides arbitration as the sole means of settling such questions as do not admit of agreement; and it fixes a term of ten years, at the expiration of which it will be optional with either party to give notice of the termination of the treaty.

This draft was not signed because the "most favored nation" clause was imperatively demanded of us in all its absoluteness, while Venezuela was not in a position to covenant, save to the same ends and in the same terms as she had done with other friendly nations.

This question would have been easily adjusted, since England had maintained the same ground with respect to the United States, and had ended by abandoning it because the United States alleged the same reasons which we did.

Thus the treaty with Great Britain was on the point of being signed when Lord Salisbury came into power, and he flatly refused to bring the negotiation to a close in the same terms as his predecessor had left it, notwithstanding that it was pointed out to him that in the question of Afghanistan, with Russia, he had signed the convention negotiated by his predecessor, and that the same Lord Salisbury had just announced in Parliament that he had signed it because it was unworthy of a responsible government to withdraw from its word when given, and this gave me an occasion to maintain that, the negotiation with Venezuela being in a like case with that with Russia, we had the right to be treated in the same way, unless Great Britain had one code of justice for Russia and another for Venezuela, and if this were so, it would be very painful to me to inform my Government of it.

The last month of my protracted stay in Europe was occasioned by the request of Earl Rosebery that we should make a final effort to bring the important negotiation to an end in two or three weeks more. That time having passed without any result whatever, because the ministry would not accept arbitration, and at the same time demanded of me the Guiana River, a tributary of the Orinoco, I took my leave, sending in a note to this effect: That Venezuela had accredited me with the fullest powers in order to put a definite end to the three questions pending between us; that the question of the mode of payment of the diplomatic claims having been already settled, the other two were comprised in the new treaty intended to replace the existing one which had been impossible of execution during its fifty-eight years of existence, and in which there still remained undetermined, according to his own phrase, the fixing of the term of its duration; that, unfortunately, we had not been able in the two years which had passed to agree upon a treaty which should settle the difficulties of the differential duties in regard to the British West Indian islands, and concerning the Guianian boundary the latter question by means of arbitration, as being the sole method open to Venezuela, inasmuch as our constitution prohibits the alienation of territory, and moreover itself fixes our boundary as beginning at the Essequibo River, which was the boundary of Spain, whose territorial rights were inherited by Venezuela, and that a man familiar with the voluminous archives where the question was recorded being indispensable for its examination and such examination being a work of time, and it being agreed that the three pending questions should be settled jointly, it became an imperative necessity to defer for the present the negotiations which we had had under consideration.

The English Government, instead of replying to this note, and doubtless because in that note it was asserted that our frontier reached to the Essequibo, has set all discussion aside, and, by decree, has taken possession of and usurped the territory, not merely to the Pomarón, but as far as Punta Barima and the Amacuro, thereby despoiling us of the exclusive control of the Orinoco, that great artery of the northern part of the continent, the Mississippi of South America.

Confronted by such a situation, what was to be done? Could I have announced to the Congress of the nation that the foreigner had occupied a part of its territory,

without adding that I had protested in the name of the nation and had severed diplomatic relations with the Government which had so treated us?

On the 26th of January of the present year I demanded the evacuation of the territory as far as the Pomarón.

On the 31st of January the minister of Her Britannic Majesty replied, confirming the occupation, but not unreservedly.

Upon the same 31st of January I answered him that, it having been established by the convention of November 18, 1850, that westward of the Pomarón neither Venezuela nor Great Britain should exercise jurisdiction, and the latter having occupied that territory and its rivers as far as the mouth of the Orinoco, the convention was violated and the spoliation of Venezuela consummated; and that, consequently, if by the constitutional date fixed for the assembling of the Congress matters had not been put back into the condition in which they were prior to 1850, or an agreement had not been reached for submitting the question of the Guianian boundary to the decision of an arbitrator in the manner prescribed by our constitution and counseled by the ripe judgment of civilized peoples in the epoch which we have fortunately reached, diplomatic relations would be broken off, the most solemn protests of Venezuela being uttered against so arbitrary an act of spoliation.

And this is already done since the 21st day of the past month at 4 o'clock in the afternoon Her Britannic Majesty's minister has not yet demanded his passports.

In any event the fate of the country is and will be honorable.

* * * * *

No. 46.

Mr. Bayard to Mr. Phelps.

No. 556.]

DEPARTMENT OF STATE,
Washington March 10, 1887.

SIR: With reference to the previous correspondence concerning the pending boundary difficulty between Great Britain and Venezuela, I now inclose herewith, for your information, a copy of a dispatch which has just been received from our minister at Caracas concerning the severance of diplomatic relations between the two countries in question.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard. No. 137, Caracas, February 24, 1887. (Printed as Document No. 38, *ante*.)

No. 47.

Mr. Bayard to Mr. Phelps.

No. 560.]

DEPARTMENT OF STATE,
Washington, March 11, 1887.

SIR: With reference to previous correspondence concerning the pending boundary question between Great Britain and Venezuela, I now inclose herewith, for your information, a copy of a recent dispatch from Mr. Scott, our minister at Caracas, transmitting, at the instance of the Venezuelan Government, additional documents relative to the disputed territory.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard, No. 139, Caracas, February 25, 1887. (Printed with its annexes as Document No. 42, *ante*.)

No. 48.

Mr. White to Mr. Bayard.

No. 466.]

LEGATION OF THE UNITED STATES,
London, March 12, 1887. (Received March 22.)

SIR: With reference to my dispatch No. 461, of the 8th instant, respecting the differences between this country and Venezuela, and to previous correspondence, I have the honor to inclose herewith, for your information, an extract from the London Times of yesterday, containing a question on this subject and the answer of Sir James Fergusson, parliamentary under secretary for foreign affairs, to the same.

You will observe that Her Majesty's Government now decline to take any steps toward a settlement of the boundary question between British Guiana and Venezuela pending the maintenance by the latter of the suspension of diplomatic relations with Great Britain.

I have, etc..

HENRY WHITE.

[Inclosure in No. 466.]

VENEZUELA.

[Cutting from the Times, March 11, 1887. Parliamentary proceedings, March 10, 1887.]

Mr. Staveley Hill asked the under secretary of state for foreign affairs whether, considering the increasing importance of the subject and the breach of diplomatic relations between this country and Venezuela, Her Majesty's Government would consider the advisability of sending a commission to settle the boundary between British Guiana and Venezuela.

Sir J. FERGUSON. Her Majesty's Government have every wish to arrive at a settlement of the boundary question, but no such step as that suggested can be taken so long as the Venezuelan Government maintains the suspension of diplomatic relations with this country.

No. 49.

Mr. Scott to Mr. Bayard.

No. 146.]

LEGATION OF THE UNITED STATES,
Caracas, March 18, 1887. (Received March 30.)

SIR: I received too late to send to you by the last mail the following note of the 9th instant, from Dr. Urbaneja, minister of exterior relations, in regard to the recent action of Great Britain in the pending difficulties between that country and Venezuela.

Dr. Urbaneja says in his note of 4th instant, that "according to telegrams received by the President of the Republic, there is found a British ship of war in each one of the entrances to the Gulf of Paria, and the artillery of the port of Spain is being put in order." By other telegrams of the 4th instant from Europe, and published in Trinidad the 7th instant, it is "agreed that the under secretary of foreign relations has said in the House of Commons that the German Government will protect British subjects and their interests in Venezuela during the suspension of diplomatic relations, and that the British naval force will protect persons and property in the disputed territory. I beg that your excellency will please communicate the foregoing to your Government."

In this connection I beg leave to state that President Guzman Blanco requested an interview with me at his residence at half past 10 o'clock a. m., on the 15th instant, and stated in said interview that Great Britain now claimed to the Shomburgk line, and seemed anxious to know what course the United States would pursue in the matter. I told him "that all the documentary evidence in the disputed questions of boundary between Venezuela and Great Britain that had been sent to the United States legation had been duly transmitted to the United States Government, and that the same had been communicated to its minister at London, Mr. Phelps, and that I was satisfied that my Government would do all in its power, in conformity to that comity which existed between nations, to bring about an honorable and satisfactory adjustment of the pending difficulty between Venezuela and Great Britain, provided the latter was willing to accept the good offices of the United States Government in the matter; that I knew that my Government entertained the warmest friendship and greatest interest in the welfare and prosperity of Venezuela, and had done and was doing all that was compatible and consistent with the duties and obligations of nations to do in the premises."

He seemed to be gratified at this assurance and thanked me warmly for the kindly sympathy that I had indicated that my Government entertained towards Venezuela, and intimated that he would send to the United States legation, at Caracas, additional documentary evidence as to the additional wrongs that Great Britain was inflicting on Venezuela, with the request that it be forwarded to my Government. I replied that "I would dispatch said documentary evidence as promptly as I had transmitted all that had been sent to the legation before, and that when my Government sent me any information to be imparted to him on this difficulty it would be quickly communicated to him." This was about the sum and substance of the interview held with President Guzman Blanco, on the 15th instant, at his residence.

It is almost unnecessary (for I presume you will have been in possession of the news some time before this dispatch reaches you) to state that in the Pumar of the 15th instant there appeared a telegram announcing that "Great Britain would entertain no proposition for the settlement of the boundary question between Venezuela and British Guiana until diplomatic relations were restored between Great Britain and Venezuela."

Mr. St. John, the British minister, on the 12th instant, received a note from his Government recalling him, and on the 14th instant, at half past 10 o'clock a. m., he sailed in the man-of-war the *Comus* to Trinidad, with his family, and all diplomatic relations between Venezuela and Great Britain have ceased.

At the request of Dr. Urbaneja, minister of exterior relations, I herewith transmit an inclosure, No. 1, hereto appended, his No. 108, and dated Caracas, the 15th instant, in which are alleged new grievances on the part of Great Britain towards Venezuela.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure in No. 146.]

TRANSLATION OF NOTE FROM DR. URBANEJA TO MR. SCOTT RELATIVE TO BRITISH WRONGS.

CARACAS, March 15, 1887.

YOUR EXCELLENCY: Another English vessel of war, the *Hornet*, went on the 11th to Tucacas. Some of the officers went on shore, with two employes of the mining

company who had been on board, took the train, and proceeded to the mines. Later the captain of the gunboat did the same. On his return to Puerto Cabello the commander went on shore and spoke with the English consul, and then returned to La Guayra. Before the second journey to Tucacas the said consul had showed him a telegram from the President of the Republic, in which he reminded him of the prohibition as regards foreign vessels of war entering Venezuelan ports not open to foreign commerce.

Thus the British authorities in hostile attitude continue to trample on the rights of the Republic.

I beg your excellency will communicate this to your Government.

I remain, etc.,

DIEGO B. URBANEJA.

[NOTE.—With this dispatch, No. 146, from Mr. Scott, March 18, 1887, was received a copy of the pamphlet in English entitled "Latest Correspondence on the Question of Limits of Guiana," being the same as that received from the Venezuelan legation in Washington, May 21, 1887, and printed as appendix to Document No. 58, *post.*]

No. 50.

Mr. Bayard to Mr. Scott.

No. 101.]

DEPARTMENT OF STATE,
Washington, March 23, 1887.

SIR: I inclose for your information a copy of a dispatch from our legation at London, and of the extract from the Times on the Venezuelan boundary, to which it refers.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. White to Mr. Bayard, No. 461, March 8, 1887. (Printed as document No. 44, *ante.*)

No. 51.

Mr. Bayard to Mr. Scott.

No. 103.]

DEPARTMENT OF STATE,
Washington, March 26, 1887.

SIR: I transmit for your information a copy of a dispatch from our legation at London, and of the extract from the Times on the Venezuelan boundary question, to which it refers.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. White to Mr. Bayard, No. 466, March 12, 1887. (Printed as document No. 48, *ante.*)

No. 52.

Mr. Scott to Mr. Bayard.

No. 150.]

LEGATION OF THE UNITED STATES,
Caracas, March 29, 1887. (Received April 11.)

SIR: I have the honor to inform you that on the 24th instant President Guzman Blanco requested an interview at his residence in this city at 3 o'clock, p. m. In compliance with this request I met the President and Dr. Urbaneja at the time and place designated.

At the interview the President informed me that he had received information from Mr. Soteldo, the Venezuelan minister at Washington, that England had declined the good offices of the United States to arbitrate the present question of dispute as to the boundary line between Venezuela and British Guiana; That no other nation had been authorized to act in this matter, and that the action of Spain was purely voluntary, and proceeded entirely from friendship to Venezuela.

He then proceeded to advance the views and ideas embraced in Inclosure No. 1, hereto appended. After he had finished, I replied "that any further communication that he desired to make to my Government would be cordially and cheerfully transmitted through its legation at Caracas," and D. P. E. No. 140, dated Caracas, the 25th instant, has been duly and correctly translated and is contained in Inclosure No. 1, and forwarded to you for further information as to the position that Venezuela at present assumes in this matter.

I have, etc.,

CHARLES S. SCOTT.

[Inclosure in No. 150.—Translation.]

COPY D. P. E. FROM DR. URBANEJA TO MR. SCOTT ON THE BOUNDARY QUESTION.

CARACAS, March 25, 1887.

YOUR EXCELLENCY: Restricting myself to the interview that your excellency had yesterday with the President of the Republic, I have the honor to make the request then announced to that legation.

According to reports just received from the chargé d'affaires, Dr. Soteldo, his excellency Mr. Bayard, Secretary of State, informed him that the United States Government having offered its mediation to that of Her Britannic Majesty for the settlement of the dispute of limits with Venezuela by arbitration, which the American Government would accept, Lord Salisbury thanked it for this kind act, but added that he could not accede to it, having already refused the representative of another friendly nation, through whom the same proposal of mediation in the affair had lately been made.

At the same conference Lord Salisbury said to Mr. Phelps that, as Venezuela had suspended diplomatic relations with the minister of Great Britain in Caracas, he could not at present gratify the desires of the United States Government.

The contradiction involved in the two parts of the answer is seen at the first glance. In effect the second allows the hope that mediation would be accepted, whilst the first unequivocally denies it.

The private letter of the minister of Spain that the President showed to your excellency makes it clear that if she has offered her mediation in this case, it was after she knew that that of the United States had been refused, and was, as in other cases, spontaneous from her desire to see the Spanish Americans, to whom she is attached, among other precious ties, by that of consanguinity, tranquil and prosperous. Venezuela has only sought the mediation of the United States.

That Venezuela should reestablish the suspended diplomatic relations without the wrong she has suffered in the usurpation of her territory being repaired, would be to agree that such conduct is not a very great injury, a real act of hostility, or that Venezuela ought to bear impassively the spoliation of her rights.

The result of all is that the situation of affairs is the following at present:
Great Britain refuses the mediation of the United States because she has already refused that of another power.

She refuses, without saying why, the mediation of that other power.

She refuses the arbitration of the United States.

And can not treat of the arrangement of the question because Venezuela suspended diplomatic relations.

Thus, what Great Britain intends in possession, as she is by force, of the territory she claims is to remain there and secure her domination, fulfilling the design of usurping the mouth of the Orinoco.

The President believes that the United States of the North, as the American power under whose protection are the interests of the New World, can not without impairing her legitimate influence, and without abandoning her natural prerogatives, consent to a European nation, without any right to it, taking possession of that portion of the territory of the Republic through which flows so important a channel of the commerce of such extensive regions as those of the Orinoco.

If the Great Republic can not now protect Venezuela indirectly through mediation or arbitration, and can not either abandon her without compromising the future fate of the continent, the occasion has arrived of making the question hers and of asking for the disoccupation of the territory and of the affluent rivers of the Orinoco, and of the submission of the dispute to arbitration as has been desired, after affairs have been restored to the state they were in before such acts of spoliation took place.

This is what Venezuela asks and hopes for from the most powerful and, from its justice and energy, the most illustrious nation and Government of the world.

I reiterate to your excellency, etc.,

DIEGO B. URBANZ/A.

No. 53.

Mr. Bayard to Mr. White.

No. 585.]

DEPARTMENT OF STATE,
Washington, March 31, 1887.

SIR: With reference to previous correspondence concerning the pending boundary dispute between Great Britain and Venezuela, I now inclose herewith a copy of a recent dispatch to this Department from our minister at Caracas on the subject. As we have only one copy of the printed document referred to in Mr. Scott's dispatch, it can not be sent, but most, if not all, of the correspondence printed in it has heretofore been transmitted to your legation.

The suspension of diplomatic relations appears to be made complete by the withdrawal of the British minister. This increases the concern of this Government, which is deeply solicitous that a peaceable and honorable settlement may speedily be reached.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard.

No. 146. March 18, 1837. (Printed as Doc. No. 49, *ante*.)

No. 54.

Mr. Bayard to Mr. Phelps.

No. 597.]

DEPARTMENT OF STATE,
Washington, April 14, 1887.

SIR: With reference to the previous correspondence on the subject, I inclose herewith for your further information a copy of a recent dispatch from Mr. Scott, our minister to Caracas, relative to the pending dispute between Great Britain and Venezuela concerning the boundary question.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Scott to Mr. Bayard. No. 150. Caracas, March 29, 1887. (Printed as Document No. 52, *ante*.)

No. 55.

*Mr. Olavarria to Mr. Bayard.*LEGATION OF VENEZUELA,
Washington, D. C., May 4, 1887.

MOST EXCELLENT SIR: Referring to the verbal communication which I had the honor to make to your excellency during our conference of the 2d instant, I have the satisfaction to place in your hands, together with the present note, a copy of the most recent correspondence exchanged between the minister of foreign relations of Venezuela and the British legation at Caracas, wherein you will find stated in detail all the incidents and reasons which induced my Government to suspend diplomatic relations with the Government of Great Britain.

The territory of Venezuelan Guiana having been occupied by the authorities of the neighboring British Guiana, who even went so far as to take possession of Barima Island (which forms a part of the great delta of the Orinoco River), and who acted there in obedience to express orders from the superior Government of Great Britain, your excellency will readily see that the proper course for the Government of my country to pursue was the one so prudently and wisely adopted by it under the painful circumstances that resulted from this unprecedented and arbitrary usurpation.

Express and tacit agreements, which your excellency will find on pages 7, 8, 9, 10, and 11 of the said pamphlet, led the Government of Venezuela to hope that the extensive territory in question would be duly respected by that of Great Britain until the two nations should be able to effect an amicable and satisfactory arrangement, such as the Government of the United States of Venezuela had constantly sought to effect. It seems, however, most excellent sir, that the Government of Great Britain, doubtless feeling but little confidence in its so-called rights, has found it easier and more practicable to settle so important a question in its own way, in violation of the sacred rights of a nation with which it has hitherto been on terms of friendship. This action has

been taken by it on the principle that "might makes right." This course is, without doubt, to be attributed to the eagerness of Great Britain to strengthen and extend her power in those countries that are near to the Isthmus of Panama (since the construction of a ship canal there is now regarded as a certainty), with a view to checking a legitimate influence which this great Republic is destined to secure there in accordance with explicit treaties now in force. The plan, doubtless, is that the rich and extensive Venezuelan Guiana, with its mighty Orinoco, with its natural wealth of all kinds, and with its productive gold mines, shall be made to serve as the nucleus of a great English colony, which, by means of its influence and power, shall occupy immense tracts of land in America, and shall approach as near as possible to the much wished for canal. Venezuela, being weak, has not been and will not be heard by powerful Albion, for old monarchical nations are not in the habit of listening to those countries that are less powerful than they are, and that have never been willing to render homage to their effete institutions; and thus we see with pain, but at the same time with patriotic although impotent indignation, that all our efforts during a long series of years to induce that Government to agree to a settlement of this important question by arbitration have thus far been of no avail.

Venezuela, in this emergency, and confronted by a conflict of this character, has already had recourse to her powerful sister, soliciting such an intervention as may protect her rights and the integrity of her territory; and it is proper for me on this occasion to express to your excellency the liveliest gratitude for the steps which have been taken by the North American Government in that sense; pretexts which, however, in my opinion are deserving of no consideration, have furnished ground to her Britannic Majesty's Government to disregard the friendly representations of the representatives of the United States of America, and in the meantime the most scandalous usurpation continues that is to be found in the annals of America.

The Government of Venezuela would have been glad, when arbitration was once accepted, if the United States could have been named as the arbitrator, owing to the confidence which she feels in the rectitude and impartiality of this Government; but, as the undersigned is now convinced that, if the steps to be taken by your representative should have to be such as would in nowise compromise the neutrality of the United States, so that they might not be debarred from acting in that capacity, this would seriously impair the efficiency of such action, which, for the furtherance of the common interests of America and in obedience to the doctrine of the immortal Monroe, should possess all the vitality that the alarming circumstances demand, he is compelled to renounce that pleasing hope, and to beg your excellency, in the name of the Government of Venezuela, to be pleased to instruct your representative at London to insist, in the name of the United States Government, upon the necessity of submitting the boundary question between Venezuela and British Guiana to arbitration.

I think, and I take the liberty respectfully to state this my opinion to your excellency, that if the United States Government informs that of Great Britain that it is not to the interest of the Republic that Great Britain should extend her territory in Guiana beyond what legitimately belongs to her as a consequence of the acquisition made by her in 1805, that being at variance with the doctrines and practices of this country; and if, at the same time, it insists upon asking, in its own name and in that of the American interests which it represents, that

the Venezuelan boundary question be submitted to arbitration, the result will not be delayed, and that the triumph of justice will thus be a brilliant one, whatever may be the decision of the arbitrator who may be selected.

I deem it unnecessary for me to advance any further considerations in support of my respectful statement, since such considerations will suggest themselves to your excellency's enlightened mind better than I can state them. I therefore confine myself, by way of concluding this long note, to begging your excellency to make known to me such of your views as, in your judgment, it will be proper for me to communicate to my Government by the next mail.

I reiterate to your excellency, etc.

Your most obedient servant,

J. A. OLAVARRIA.

[NOTE.—The printed inclosure with this is the same as Part III of the Venezuelan boundary correspondence accompanying Mr. Olavarria's note of May 21, 1887, printed with document No. 58, *post.*]

No. 56.

Mr. Scott to Mr. Bayard.

No. 165.]

LEGATION OF THE UNITED STATES,
Caracas, May 12, 1887. (Received May 27.)

SIR: On the 15th of last March I addressed note No. 92 to Dr. Urbaneja, minister of exterior relations, inclosing a copy of the extract from the London Times of March 11, 1887, containing the colloquy between Messrs. Stanley Hill and Fergusson about the arrangement of boundaries between British and Venezuelan Guiana, and in inclosure No. 1 you will find the reply of Dr. Urbaneja.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure 1 in No. 165.—Translation.]

NOTE FROM DR. URBANEJA TO MR. SCOTT ON THE BRITISH GUIANA BOUNDARY QUESTION.

CARACAS, April 21, 1887.

YOUR EXCELLENCY: I read to the President of the Republic your excellency's dispatch of the 15th, in which you insert an extract from the question asked of Her Britannic Majesty's Government in the House of Commons by Mr. Stanley Hill as to whether it would take into consideration the desirability of sending a commissioner to arrange the boundaries between British and Venezuelan Guiana, to which Sir J. Fergusson, under secretary for foreign affairs, replied that Her Majesty's Government much desire to arrive at a settlement of the boundary question, but could not take the step indicated whilst the Venezuelan Government continued in the suspension of diplomatic relations.

In consequence of this the President desires me to say to your excellency that Venezuela is no less desirous of terminating in a friendly manner the difficulty in question, but so long as the English Government occupies the territory from the Pomaron to the Orinoco, thus violating the convention of 1850, she can not have friendly relations with Her Britannic Majesty's Government without exposing herself to the protests of the entire country. Far from having acceded to the disoccupation of the territory from the Amacuro to Pomaron, it has aggravated the insult to the Republic by placing a force at the invaded points and sending vessels of war, which, as I have informed your excellency in other notes, have penetrated to places

from which they are excluded by national laws, which prescription was notified at the proper time to Her Majesty's legation in Caracas.

As no arrangement is possible between the two parties, it has been exacted that the disoccupation [evacuation] should be accompanied by the acceptance of arbitration. Without this it would fall back into all the inconveniences of the sterile negotiations of the past.

I renew to your excellency, etc.,

DIEGO B. URBANEJA.

No. 57.

Mr. Bayard to Mr. Phelps.

No. 621.]

DEPARTMENT OF STATE,
Washington, May 14, 1887.

SIR: With reference to previous correspondence relative to the boundary dispute pending between Great Britain and Venezuela, I now inclose herewith for your information a translation of a recent note to this Department from Mr. Olavarria, the Venezuelan minister at this capital, concerning the reasons which induced his Government to suspend diplomatic relations with Great Britain.

There seems to be no essential change in the situation of this matter, the suspension of diplomatic relations remaining an obstacle to any means of adjustment. Under these circumstances it may be proper to inquire whether our good offices can be availed of to effect a renewal of formal relations. You will use your discretion as to making such an inquiry.

I am, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Olavarria to Mr. Bayard, May 4, 1887. Translation, with pamphlet, referred to in dispatch. (Printed *in extenso* as document No. 55, *ante*.)

No. 58.

Mr. Olavarria to Mr. Bayard.

[Translation.]

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, May 21, 1887.

EXCELLENCY: I have the honor to send to your excellency ten copies of each of two pamphlets* in English published by my Government in relation to the various questions pending between Venezuela and Great Britain.

It is gratifying to me to avail myself, etc.,

J. A. OLAVARRIA.

* One herewith. The other, which is merely a reprint of Part III of the following pamphlet, was also sent to the Department of State with Mr. Olavarria's note of May 4, 1887.

LIST OF PAPERS.

PART I.

Maps A and B.

- No. 1. Mr. Mansfield to Señor Rafael Seijas, October 15, 1883.
- No. 2. Señor Rafael Seijas to Mr. Mansfield, November 15, 1883.
- No. 3. Mr. Mansfield to Señor Rafael Seijas, November 19, 1883.
- No. 4. Señor Rafael Seijas to Mr. Mansfield, November 28, 1883.
- No. 5. Mr. Mansfield to Señor Rafael Seijas, November 29, 1883.
- No. 6. Mr. Mansfield to Señor Rafael Seijas, March 11, 1884.
- No. 7. Señor Rafael Seijas to Mr. Mansfield, March 15, 1884.
- No. 8. Mr. Mansfield to Señor Rafael Seijas, March 29, 1884.
- No. 9. Señor Rafael Seijas to Mr. Mansfield, April 2, 1884.
- No. 10. Mr. Mansfield to Señor Rafael Seijas, April 7, 1884.
- No. 11. Mr. Mansfield to Señor Rafael Seijas, April 8, 1884.
- No. 12. Señor Rafael Seijas to Mr. Mansfield, April 9, 1884.
- No. 13. Mr. Mansfield to Señor Rafael Seijas, April 16, 1884.
- No. 14. Mr. Mansfield to General Vicente Amengual, August 6, 1884.
- No. 15. Mr. Mansfield to General Vicente Amengual, with an accompaniment, May 28, 1884.
- No. 16. Señor Amengual to Colonel Mansfield, May 31, 1884.

PART II.

- No. 17. Memorandum communicated to Sir Julian Pauncefote by General Guzman Blanco.
- No. 18. Earl Granville to General Guzman Blanco, December 24, 1884.
- No. 19. General Guzman Blanco to Earl Granville, December 30, 1884.
- No. 20. Earl Granville to General Guzman Blanco, January 24, 1885.
- No. 21. Earl Granville to General Guzman Blanco, February 13, 1885.
- No. 22. Memorandum communicated to Earl Granville by General Guzman Blanco, January 22, 1885.
- No. 23. Earl Granville to General Guzman Blanco, January 28, 1885.
- No. 24. General Guzman Blanco to Earl Granville, March 21, 1885.
- No. 25. Earl Granville to General Guzman Blanco, April 2, 1885.
- No. 26. General Guzman Blanco to Earl Granville, April 6, 1885.
- No. 27. Project of treaty. (Articles II, IV, XVI, and XVII.)
- No. 28. Earl Granville to General Guzman Blanco, April 15, 1885.
- No. 29. General Guzman Blanco to Earl Granville, May 6, 1885.
- No. 30. Earl Granville to General Guzman Blanco, May 15, 1885.
- No. 31. General Guzman Blanco to Earl Granville (with an accompaniment), June 8, 1885.
- No. 32. Earl Granville to General Guzman Blanco (with an accompaniment), June 18, 1885.
- No. 33. General Guzman Blanco to Earl Granville, June 22, 1885.
- No. 34. General Guzman Blanco to Sir Julian Pauncefote, July 22, 1885.
- No. 35. The Marquis of Salisbury to General Guzman Blanco (with an accompaniment), July 27, 1885.
- No. 36. General Guzman Blanco to the Marquis of Salisbury, August 5, 1885.
- No. 37. The Marquis of Salisbury to General Guzman Blanco, October 3, 1885.
- No. 38. General Guzman Blanco to the Marquis of Salisbury (with an accompaniment), October 12, 1885.
- No. 39. General Guzman Blanco to the Marquis of Salisbury, December 17, 1885.
- No. 40. Draft of agreement for the liquidation of certain claims of British subjects.
- No. 41. Draft of agreement, as above, sent to Sir Julian Pauncefote, July 7, 1885.
- No. 42. General Guzman Blanco to Sir Julian Pauncefote (with accompaniments), July 22, 1885.
- No. 43. Mr. Currie to General Guzman Blanco, September 3, 1885.
- No. 44. General Guzman Blanco to the Marquis of Salisbury, September 12, 1885.
- No. 45. General Guzman Blanco to the Marquis of Salisbury, December 17, 1885.
- No. 46. The Marquis of Salisbury to General Guzman Blanco, October 9, 1885.
- No. 47. General Guzman Blanco to Count Rosebery, June 19, 1886.
- No. 48. Count Rosebery to General Guzman Blanco (with accompaniments), July 20, 1886.
- No. 49. General Guzman Blanco to the secretary for foreign affairs (with an accompaniment), July 29, 1886.
- No. 50. General Guzman Blanco to Earl Rosebery, July 28, 1886.

PART III.

- No. 51. Diego B. Urbaneja to Mr. St. John (with accompaniments), December 7, 1886.
 No. 52. Mr. St. John to Diego B. Urbaneja, December 9, 1886.
 No. 53. Diego B. Urbaneja to Mr. St. John, January 8, 1887.
 No. 54. Mr. St. John to Diego B. Urbaneja, January 19, 1887.
 No. 55. Diego B. Urbaneja to Mr. St. John (with accompaniments), January 26, 1887.
 No. 56. Mr. St. John to Diego B. Urbaneja, January 31, 1887.
 No. 57. Diego B. Urbaneja to Mr. St. John, January 31, 1887.
 No. 58. Mr. St. John to Diego B. Urbaneja, February 7, 1887.
 No. 59. Diego B. Urbaneja to General Guzman Blanco (telegram), February 11, 1887.
 No. 60. Diego B. Urbaneja to Mr. St. John, February 11, 1887.
 No. 61. Mr. St. John to Diego B. Urbaneja, February 19, 1887.
 No. 62. Diego B. Urbaneja to Mr. St. John, February 20, 1887.

Correspondence between the Venezuelan Government and Her Britannic Majesty's Government about the question of the frontier, the additional duty of 30 per cent, the treaty of commerce, and the pecuniary claims, divided into three parts.

PART I.

No. 1.

Mr. Mansfield to Señor Rafael Setjes.

CARACAS, October 15, 1883.

MONSIEUR LE MINISTRE: By the last packet of the Royal Mail Company I received a communication from Lord Granville of no inconsiderable importance. The subjects therein treated are various, and I can not too strongly impress upon your excellency my opinion that they should receive a careful and exhaustive consideration at the hands of the Venezuelan Government—a consideration which, indeed, his excellency the President of the Republic is invariably disposed to accord to the communications of friendly Governments, and more especially to those of the Government of Great Britain. On the present occasion, however, when it is for the manifest and mutual advantage of both Governments that various outstanding points at issue—some, indeed, of long date—should receive a proximate and satisfactory solution, a careful consideration of the views of Her Majesty's Government becomes even yet more necessary.

Lord Granville instructs me to invite the serious attention of the Venezuelan Government to the questions now pending between Great Britain and Venezuela, and I am to state that it is, in the opinion of Her Majesty's Government, desirable that an early settlement of them should be arrived at.

Lord Granville had been for some time awaiting the arrival of Señor Rojas in London in order to enter with him upon a discussion of the points at issue, but his recall has prevented Lord Granville from doing so, and his lordship is desirous of knowing how soon his excellency's successor may be expected, and whether the new minister will be furnished with such instructions as will enable him to take these matters in hand as soon as he arrives in Europe.

The questions to which Lord Granville refers are:

1. The boundary between Venezuela and British Guiana.
2. The differential duties imposed on imports from British colonies.
3. The claims of the British creditors of the Republic.

As a preliminary to entering upon negotiations, Lord Granville considers it to be indispensable that an answer should be given to the proposals of Her Majesty's Government in regard to the boundary. Should that answer be in the affirmative, and should the other questions be satisfactorily settled, the wishes of the Venezuelan Government in regard to the cession of the island of Patos will receive favorable consideration.

With reference to the differential duties, Her Majesty's Government will be prepared to discuss in the most friendly spirit, but without pledging themselves beforehand to accept them, the proposals of the Venezuelan Government for the addition of supplemental articles to the treaty now existing between the two countries.

The question of foreign claims on Venezuela has formed the subject of a recent communication from the United States Government to that of Her Majesty, and before



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replying to it Lord Granville would be glad to be informed of the view which the Venezuelan Government take of the recommendation, that they should pay to France over and above the stipulated pro rata payments the sum of 720,000 francs.

Her Majesty's Government consider that the questions to which Lord Granville refers should be dealt with as a whole, and I am instructed to say that they attach great importance to a simultaneous settlement of them.

Such, your excellency, are the exact views of Her Majesty's Government upon the subjects in question, and I can not but feel convinced that the cordial and friendly spirit in which they are approached by Lord Granville will be met in a similar manner by the Government of Venezuela.

The President of the Republic will not fail to observe the tone of Lord Granville concerning the supplemental *articles* (not article) to the treaty; and, although his lordship enters into no distinct promise upon the subject, I venture to think, that, when the matter comes regularly into discussion, the proposals of Venezuela will undergo every chance of meeting with acceptance by Her Majesty's Government.

In renewing the assurance of my distinguished consideration, I have the honor to sign myself your excellency's most obedient, humble servant,

C. E. MANSFIELD.

His Excellency SEÑOR RAFAEL SEIJAS, etc.

No. 2.

Señor Rafael Seijas to Mr. Mansfield.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, November 15, 1883.

SIR: I have had the honor to receive the note dated 15th of October last, in which you set forth the tenor of the instructions sent recently by Lord Granville, minister of foreign affairs, to Her British Majesty, for the purpose of recommending most urgently to the Venezuelan Government the importance of coming to a speedy and complete conclusion of the questions pending between the two countries, viz, as his lordship says:

1. Limits between Venezuela and British Guiana.
2. Differential duties on the importations into Venezuela from British colonies.
3. Pending claims of British creditors against the Republic.

And you said, with the authorization of Lord Granville, that the Government of Her Majesty will be disposed to consider favorably the reclamation of Venezuela referring to the *island of Patos*, provided the arrangement of the questions mentioned heretofore come to a satisfactory solution, as it is to be expected.

The terms in which the instructions of Lord Granville appear to be conceived, as well as the interest they exhibit to arrive at a speedy and joint solution of the debated points, are highly appreciated by his excellency the President of the Republic, as they are a proof of the very friendly tendency and elevated intentions of the Government of Her Majesty, and justify and confirm at the same time the persuasion, which never has abandoned the mind of his excellency the President, of its being impossible, in view of the antecedents, that the disposition of the Government of Great Britain toward the Republic of Venezuela could cease to be a noble one.

Without any legitimate reasons or motives which in any way could be looked at as antagonistic between the two nations, considering the secular wisdom of the cabinet of St. James, the constant cordiality of the young Republic to correspond in a worthy manner to those friendly feelings, and the reciprocal demonstrations of special deference shown at all epochs, there could, at the present time, exist no other prospect besides the possibility of dispelling any cause of discussion between the two Governments.

There remains one difficulty of a secondary character in reference to the *modus operandi*, and I have been instructed by his excellency the President to expose it to the consideration of the Government of Her Majesty, in the hope that it may be removed.

This difficulty consists principally in the very desire of his excellency the President of the Republic to have the glory of leaving arranged in a manner convenient and effective to both sides, before the 20th of February next year, at which day his excellency has to retire from holding the executive power, every difference in the important relations between the Republic and Great Britain, with the perfect security that



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In renewing the assurance of my distinguished...
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C. L. SELJAS

His Excellency SEÑOR RAFAEL SELJAS, etc.

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No. 2.

Señor Rafael Seljas to Mr. Mansfield.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS
Caracas, November 19, 1886.

SIR: I have had the honor to receive the note dated 15th of September...
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the Congress of the Republic will give full approbation to whatever his excellency may have agreed upon.

This desire, which is in perfect harmony with that expressed so urgently by the noble Lord Granville, would not be opposed to the intention of carrying on the negotiations in London, if His Excellency the President could at present, in accordance with our laws, resolve sending a minister of the Republic to Her Majesty; but this unfortunately he can not do under the budget of the present fiscal year, nor shall he be able to do so before spring next year, in accordance with the new budget.

However, the question of limits being the principal point amongst those recommended by Lord Granville, it must be observed that precisely this point has caused a delay in the course of the negotiations for the time of one year, as the Government was anxious to overcome by any means whatever the serious difficulty which the constitution or fundamental law of the Republic presents to the celebration of treaties on boundaries. It denies most explicitly to its high powers the faculty of alienating, or making cession of the smallest part of the territory under the recognized dominion of the Republic, in no case nor manner whatever, even if it were as an indemnification in exchange.

For one year the illustrious American (*illustre Americano*) President has been consulting the opinion of juriconsults and public men of high standing, in order to get any information that might lead to the solution of the Guiana boundary question by means of a treaty. But all the documents and all men of talent that have been consulted have confirmed more and more that the river Essequibo is the lawful boundary inherited by the Republic, with the colony belonging formally to the Dutch, and now to England. Thus the impossibility became apparent to conclude this discussion otherwise than through the intervention of an arbiter who, by the free and unanimous election of both Governments, were to judge and give a final sentence.

This is the obstacle which His Excellency the President finds to comply as readily as he should like to do, with the desire of Lord Granville, to put an end to all discussion between the two Governments by means of a treaty.

A sentence *de jure* would be an obligatory and expedient solution of the boundary question; and therefore His Excellency the President orders me to recommend most pressingly, through your worthy organ, to the consideration of Lord Granville the urgency of unanimously electing an arbiter, so that from here to February the friendly intentions of both Governments may be satisfied; a measure which will only be dependent on the Government of Her Majesty being pleased to send instructions to the British legation at Caracas, for the purpose of agreeing with the Venezuelan Government about such an election without any further delay.

The negotiations about supplementing the actual treaty, as proposed by Venezuela on account of this being most necessary to its better intelligence in the future, as well as the difficulties arising from differential duties, the claim of British creditors, and the island of Patos, might be brought to a desirable solution meanwhile the sentence in the boundary question be pending, if the Government of Her Majesty, in view of the stress of circumstances resulting from the short term of the 20th of February, would agree of having these negotiations carried on at Caracas. Thus, His Excellency would have the satisfaction to reach, before the 20th of February, the end he wishes for—to leave arranged every difficulty between the Republic and Great Britain, her friend for many years.

It would be concurrent to the purpose if the noble Lord Granville were pleased to include the claims of British subjects against Venezuela in the instructions to be sent to the British legation at Caracas, so as to accept the agreement proposed to the Government of Her Majesty for converting the remainder of these claims into diplomatic debt, represented by 3 per cent bonds. In connection it may come to the point to remember here that Italy, by virtue of a treaty, has accepted this mode of payment, which is to-day the most common and at the same time the most advantageous for the legitimate creditor and the honest debtor. Spain accepted it for liquidating the claims of her subjects, who are much satisfied with it. Germany, in consequence, has declared that she is to accept it also, provided the other creditors do the same.

With respect to the indication of Lord Granville, which emanates from another one made by the Government of the United States, referring to the French claims, this Government has officially acquainted the French Government, who has declined to accept the fractional amount due to him of the 13 per cent set-off by the law for the diplomatic claims, that the sum of 400,000 francs shall be paid in cash, in order that the remainder of the claims, which when liquidated perhaps does not come up to as much, should be paid in 3 per cent bonds of the diplomatic debt or with 13,242 francs a month, instead of 11,637 francs, which is to-day the fractional amount due to France.

I have thus fulfilled the orders of His Excellency the President with all the clearness and precision as it is required by the brevity of time from this day to the 20th of February, and as the noble Lord Granville requests most urgently, a desire which you have recommended with friendly efforts; and His Excellency the President hopes

to see realized the glory to which he aspires to leave the Government of the Republic in the most friendly concord and without point of discussion with the noble Government of Great Britain.

I remain, your obedient servant,

RAFAEL SELJAS.

To his excellency Col. C. E. MANSFIELD,
Minister Resident to Her British Majesty.

No. 3.

Mr. Mansfield to Señor Rafael Seljas.

CARACAS, November 19, 1886.

MONSIEUR LE MINISTRE: I lose no time in expressing to your excellency my best acknowledgments for your most courteous communication of the 15th instant, of which I shall not fail to transmit, without delay, a copy and translation to Earl Granville.

Toward the end of your excellency's note, it is stated that, semi-officially, a proposal may be made to the French Government by that of Venezuela for the immediate payment to the former in cash of £16,000, accompanied by an alternative entailing gradual payment of a similar sum beyond the usual quota.

So far back as the end of March, 1881, I received instructions from Lord Granville to protest against any preference being accorded to the French which was not participated in by the British claimants.

Up to this time there has been no indication that such a preference was likely to come under discussion; but should it now appear that any exclusive preference or advantage in favor of the French claimant's be in contemplation or any settlement which could be construed in such a sense, it devolves upon me to protest against such an arrangement in the name of Her Majesty's Government, and in compliance with the instructions to which I have already alluded.

I now beg to direct the attention of the Venezuelan Government to the following paragraph in the note addressed by your excellency to the Marquis de Tallenay under date of April 5, 1881:

"There would be no other issue left to Venezuela, in order to please the Government of the French Republic, but to increase the quotas corresponding to England, to the United States of North America, to the German Empire, to Spain, to Holland, and to Denmark, in the same proportion that France claims; but to apply to this object other or larger funds than the product of the 13 per cent which is being religiously applied is neither compatible with the quiet and progressive existence which the Republic has been enjoying for over ten years, through the assiduous, persevering, and foreseeing efforts of the present President, who has saved his country, casting back into history thirty-four years of civil wars and their lamentable disasters, nor would it leave him in a position to fulfill honorably and decorously the sacred obligation, in which he is, of preserving order, maintaining the credit of the Republic, and securing in this manner all the national and foreign interests which call for the peace of the Republic. This could not be done besides without infringing the law of public credit of 1872 which set aside that fund for the diplomatic claims and without infringing the public-revenue law, which is in conformity with the former.

Expressions which Her Majesty's Government will, it is to be presumed, have understood to contain a declaration upon the part of that of Venezuela, that no advantage should accrue to French claims in which those of British subjects did not participate.

I may also mention that at an interview with the President of the Republic at Mr. O'Leary's house, in April, 1881, I stated to his excellency that Her Majesty's Government would expect that no preference or advantage should be accorded to the French which was not conceded to the British claims, and I understood the President to give me the assurance that no such advantage would or could be conceded.

The very friendly spirit in which the two Governments are approaching all these questions induces me to entertain the impression that the Government of Venezuela is not contemplating a measure which would entail injustice to British claims already recognized as just and equitable by the Government of the Republic, and it would be a source of satisfaction to me to hear from your excellency in an encouraging sense upon this feature in the pending discussion.

With the renewal of my distinguished consideration, I have the honor to be your excellency's most obedient, humble servant,

C. E. MANSFIELD.

His Excellency Señor RAFAEL SELJAS, Etc.

No. 4.

Señor Rafael Seijas to Mr. Mansfield.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, November 28, 1883.

SIR: I have the honor of stating to your excellency, in reply to the contents of your note of 19th of this month, that in what is said in mine of the 15th, in reference to the payment of a certain amount to France, there is no ground whatever for protesting against any preference or advantages given to the latter and in which British creditors have not had a share.

In said note I stated, in fact, that the Government of the French Republic had refused to receive the quota coming to them of the 13 per cent set aside by law for the payment of diplomatic claims. When M. de Tallenay left here in the month of April, 1881, leaving the protection of French subjects to M. Stella, chargé d'affaires of Italy, the Government placed at this gentleman's disposal the monthly amount corresponding to the French claims, and he stated that he had no authority to receive them. Matters have remained in this state since then, the other creditors receiving their quota, while that of the French has been left on deposit. Thirty-two months have elapsed up to the present date, during which time no payment has been made to them; and, as the amount corresponding to each month is 11,637.55 bolivares, the arrears which have accumulated up to the present prove to be equal, with a slight difference, to the amount which has been offered, viz, 400,000 bolivares, and by the time that a final settlement has been come to this figure will have been reached by the addition of each successive monthly dues.

In regard to the promise of an increased quota, to wit, 13,242 bolivares instead of 11,637.55 bolivares, the Government has never thought of giving to France any exclusive advantages. As soon as this measure is carried out the shares of the other creditors will be also increased in the same proportion as that of the French.

The Government entertains the hope that these explanations will suffice to efface from your excellency's mind any impression unfavorable to the impartiality of Venezuela in this matter.

I must furthermore remark to your excellency that neither the friendly, spontaneous, and kind offices of Her Britannic Majesty's Government, for which the Republic will be ever grateful, nor the urging of the Government of the United States, have succeeded in inducing France to change the attitude she has assumed towards Venezuela. Thus, any concession made by this country to that, as a means of putting an end to a disagreement which has already lasted but too long, could never be looked upon as an intention of establishing differences in the treatment by the Republic of friendly powers, and much less in that of Great Britain, but as a necessity created by circumstances which Venezuela has endeavored to remove by all the means in her power.

In conclusion, the President insists upon begging the Government of Her Britannic Majesty to kindly interpose her powerful influence in order to induce France to accept the proposition which has been made to her.

I beg to renew to your excellency the assurances of my highest consideration.

RAFAEL SEIJAS.

To his excellency Col. C. E. MANSFIELD,
H. B. M. Minister Resident.

No. 5.

Mr. Mansfield to Señor Rafael Seijas.

CARACAS, November 29, 1883.

MONSIEUR LE MINISTRE: It is with much pleasure that I do myself the honor to acknowledging the receipt of your excellency's note of yesterday's date.

The explanation therein contained appears to me to be of a most satisfactory character, and it is a source of gratification to me to be able to inform Her Majesty's Government that British creditors will participate in the advantages which may be proffered to those of the French nationality, as stated in your excellency's communications, of which copies and translations are duly transmitted to Lord Granville.

With renewed assurance of my distinguished consideration, I have the honor to be your excellency's most obedient, humble servant.

C. E. MANSFIELD.

To His Excellency Señor RAFAEL SEIJAS,
Secretary of State for Foreign Affairs.

No. 6.

Mr. Mansfield to Señor Rafael Seijas.

CARACAS, March 11, 1884.

MONSIEUR LE MINISTRE: With reference to some communications which passed between your excellency's office and this legation in November of the past year, I have the honor to inform your excellency that I am in receipt of a dispatch from Earl Granville dated the 15th of January, which has been much delayed owing to the recent storms in the Atlantic. In the dispatch in question I am instructed to state to your excellency that Her Majesty's Government fear that it would be found impracticable, considering the importance and complicated nature of the questions at issue between the two Governments, to bring them to a settlement before the expiration of the President's term of office; and further, I am to say that if the Venezuelan Government should not decide to send a diplomatic representative to London, instructions will be prepared to enable Her Majesty's representative at Caracas to carry on negotiations.

Availing myself of this opportunity to renew the assurance of my distinguished consideration, I have the honor to be your excellency's most obedient humble servant,
C. E. MANSFIELD.

His Excellency Señor RAFAEL SEIJAS, etc.

No. 7.

Señor Rafael Seijas to Mr. Mansfield.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, March 15, 1884.

SIR: I have read to the President of the Republic the official note in which your excellency communicates to me that Her Majesty's Government feared that the pending questions between the two countries would not be brought to an end, on account of their importance and complicated nature, before General Guzman Blanco finishes his present term of office; and that, in case Venezuela does not send to London a diplomatic minister, instructions would be given to your excellency to continue negotiations in Caracas.

It may be easily understood that the illustrious American, having such a great interest for the welfare of his country, should desire to present his fellow-citizens, as a proof of his love for it, with the settlement of said questions, in order to secure thus the permanent good understanding of Venezuela and Great Britain, which has been one of the principal objects his Government has aimed at.

Since it has been impossible to do so during his administration, he hopes that one of the first cares of the next will be to appoint a plenipotentiary of Venezuela in London; and he entertains the hope that this will take place soon, and will make it possible to carry on the negotiations which have been mentioned, and bring them to an issue.

I beg to renew to your excellency the assurances of my high consideration.

RAFAEL SEIJAS.

To His Excellency Col. C. E. MANSFIELD,
Her Britannic Majesty's Minister Resident.

No. 8.

Mr. Mansfield to Señor Rafael Seijas.

CARACAS, March 29, 1884.

MONSIEUR LE MINISTRE: With reference to your excellency's note of November 15 of last year, I have the honor to bring to the notice of the President of the Republic that I have received a dispatch from Lord Granville dated February 29, instructing me to state that her Majesty's Government are not of opinion that the

boundary between this Republic and British Guiana should be referred to arbitration, but express, at the same time, the hope that some other means may be desired for bringing this long-standing matter to an issue satisfactory to both powers.

With sentiments of distinguished consideration, I have the honor to be your excellency's most obedient, humble servant.

C. E. MANSFIELD.

His Excellency Señor RAFAEL SEIJAS, etc.

No. 9.

Señor Rafael Seijas to Mr. Mansfield.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, April 2, 1884.

SIR: I have received your excellency's note of the 29th of last March, in which you state that his excellency, Her Britannic Majesty's secretary for foreign affairs, has authorized your legation to inform the President of the Republic that Her Majesty's Government is not willing to submit the question of limits between Venezuelan Guiana and British Guiana to arbitration, expressing at the same time the hope that another means will be found of putting an end to this long-standing question in a manner satisfactory to both countries.

In the note which I addressed on the 15th of November last to your excellency I stated the grounds upon which the President based his proposal to submit the matter to arbitration. The first and principal one was that article 12 of the constitution of the Republic forbids all alienations of territory; and, as there is a disagreement between the two sides as to the extent of territory belonging to each, the decision of an arbitrator on rights could alone determine whether the pretension of this country has or has not any foundation.

It was furthermore borne in mind that, precisely in regard to this same question of limits, Lord Aberdeen, then Her Britannic Majesty's secretary of state for foreign affairs, proposed again and again to the plenipotentiary of Venezuela, Dr. Fortique, in a conference held on the 29th of July, 1843, to resort to arbitration as a means of solving the question.

It was furthermore recalled that, as the result of the agreement made at the conference held in Paris in 1856 on the proposition of the plenipotentiary of Great Britain, the latter's legation in Caracas suggested to the Venezuelan Government to invoke the good offices of some friendly power in order to prevent international conflicts, which was promptly and willingly acceded to by the latter, with the understanding that this involved not only mediation but arbitration.

It was thought likewise that this means of settling international controversies, besides being the fittest, as far as boundary questions were concerned, is daily gaining the approval of the most enlightened and liberal nations.

Great Britain is one of those who have been foremost in this struggle of progress.

The present prime minister of Great Britain once expressed himself in the following terms before the House of Commons: "As for the proposition to submit international misunderstandings to arbitrations, I think that it is in itself a great triumph. This is, perhaps, the first time that the representatives of the principal nations of Europe have given an emphatic expression to feelings which at least contain a limited disapproval of the resort to war and vindicated the supremacy of reason, of justice, of humanity, and of religion." The above referred to the spirit which prevailed at the aforesaid Paris conference.

The proposition of Mr. Richards to recommend to Her Majesty to instruct the secretary of foreign affairs to put himself in communication with other powers in order to improve international law and to establish a general and permanent system of arbitration between nations was approved in 1873 by a majority of 98 votes against 88.

It is affirmed that Sir John Bowring introduced the principle of arbitration into treaties which he negotiated with Belgium, Italy, Switzerland, Spain, Sweden, Norway, and Hanover.

I need not recall the practical instances in which Great Britain has adopted arbitration for the settlement of international disputes, among them being questions of limits, as, for example, those submitted in 1830 to the King of Holland and in 1871 to the Emperor of Germany.

I will mention, in conclusion, as it is of more recent occurrence, the clause of arbitration introduced in the protocol annexed to the treaty made between Great Britain

and Italy on the 5th of June, 1883, which met with the applause of the Association of International Arbitration existing in England, in an address signed by eight members of the House of Lords, by forty-five of the House of Commons, and by professors of the Oxford, Cambridge, and London universities, as well as by magistrates, merchants, and other prominent persons of the United Kingdom.

But, as Her Britannic Majesty's cabinet is of a different opinion in the present instance, the President has instructed me to request them to, without losing sight of the constitutional situation of Venezuela, kindly select and point out another acceptable way of obtaining a settlement of this difficulty, which the Republic so anxiously desires.

I beg to renew to your excellency the assurances of my distinguished consideration.

RAFAEL SEIJAS.

To His Excellency Col. C. E. MANSFIELD,
H. B. M. Minister Resident.

No. 10.

Mr. Mansfield to Señor Rafael Seijas.

CARACAS, April 7, 1884.

MONSIEUR LE MINISTRE: I hasten to offer my best thanks for your excellency's very interesting note upon the subject of arbitration in the matter of the boundary between British Guiana and the territory of this Republic.

I shall not fail to transmit to Lord Granville a copy and translation of your excellency's note. Her Majesty's Government are as desirous as that of Venezuela to procure the settlement of this long-standing difference and the subject will doubtless be discussed between Lord Granville and the new Venezuelan minister at an early period after the arrival of the latter in London.

For the present, Her Majesty's Government does not appear to be of opinion that arbitration is applicable to the question, and Lord Granville, I admit, holds out little expectation to me in his dispatch that Her Majesty's Government will be disposed to alter their view of the case, but much may be expected in the settlement of our various pending questions, when the new Venezuelan minister shall have arrived in England and find himself in direct communication with Her Majesty's Government.

With the renewed assurance of my distinguished consideration, I have the honor to be your excellency's most obedient, humble servant,

C. E. MANSFIELD.

His Excellency Señor RAFAEL SEIJAS, etc.

No. 11.

Mr. Mansfield to Señor Rafael Seijas.

CARACAS, April 8, 1884.

MONSIEUR LE MINISTRE: With reference to the last paragraph of your excellency's note of the second of this month, inviting a suggestion for a solution of the question concerning the frontier between this Republic and British Guiana, a solution which must necessarily be in accordance with the provisions of the Venezuelan constitution, I beg to say that I have been giving the subject my best consideration, examining at the same time the article of the constitution to which allusion is made by your excellency.

It has occurred to me that it may be worthy of the consideration of the President to weigh whether a district about the sovereignty of which, since the earliest days of the Republic of Venezuela, there has existed a discussion with a foreign power is to be regarded as forming so integral a portion of the territory of the Republic as to preclude the possibility within the limits of the constitution of a rectification of frontier by treaty. I make use of the latter term with intention and advisedly. The question appears to me one essentially of rectification of frontier, for neither in the proposals of Lord Aberdeen nor in those made by Lord Granville to Señor Rojas does Her Majesty's Government suggest that the whole of the territory which at one time was assumed to be comprised in our possessions as inherited from the Dutch should now be declared to be British territory.

As I understand the case, the original frontier by both proposals has receded in a sense in favor of Venezuela, and under the term of rectification of frontier by treaty the subject may therefore perhaps be considered by the President to come within the provisions of the constitution.

When Lord Granville, two years since, forwarded to me copies and maps of his proposals to Señor Rojas, his lordship intimated to me in the most distinct terms that the same were merely sent to me for my information, stating that all negotiations would be carried on in London; but in making the above suggestions to your excellency I conceive that I am not departing from my instructions, as I am not taking into consideration the question of the boundary but merely the manner and form in which negotiations might take place, in harmony with the constitution of Venezuela.

I shall esteem it a favor if your excellency will submit the above to General Guzman Blanco at the earliest possible opportunity and request his excellency to give to my ideas his most attentive consideration.

No very immediate answer will be necessary; I shall forward a copy of this note to Lord Granville, and the new Venezuelan plenipotentiary in London will be able to discuss the question with his lordship, but at the same time I can not but express the hope that my view of the subject as a mere rectification of frontier to be arranged by treaty may appear to General Guzman Blanco to present an adequate solution for the question.

With the renewed assurance of my distinguished consideration, I have the honor to be your excellency's most obedient, humble servant.

C. E. MANSFIELD.

His Excellency Señor RAFAEL SEIJAS, *etc.*

No. 12.

Señor Rafael Seijas to Mr. Mansfield.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, April 9, 1884.

SIR: I hastened to report to the illustrious American your excellency's answer to the dispatch in which I stated the grounds Venezuela had had to propose arbitration to Great Britain for the settlement of the dispute on limits between the two countries, and in which I asked, besides, Her Majesty's Government to point out other means of reaching this object in any way compatible with the constitution of the Republic.

After having examined the question, your excellency suggests to the President to fix his attention upon the point whether a district about the sovereignty of which there has existed a discussion with a foreign power since the earliest days of the establishment of the Republic is to be regarded as forming so integral a portion of the territory of the Republic that it precludes the possibility, within the limits of the constitution, of a rectification of frontier by treaty.

Your excellency further remarks that neither in the proposals of Lord Aberdeen nor in those of Lord Granville does Her Majesty's Government suggest that the whole of the territory which at one time was supposed to be comprised among their possessions as having been inherited from the Dutch is now declared to be British territory; and that as far as your excellency understands the case there has been in both propositions a diversion or retrocession in favor of Venezuela with regard to the original frontier, and under the terms of the ratification of the latter by means of a treaty it may perhaps be possible to the President to consider the matter as included in the provisions of the constitution.

Allow me to tell your excellency what the President thinks in this respect.

All the constitutions of Venezuela have established that her limits are the same which in 1810 belonged to the captaincy-general of Venezuela.

According to those of 1830 and 1857, Congress had the power to "decree the alienation, the exchange, or the acquisition of territory."

In that of 1858 it is stated that "no portion of territory could pass through alienation to the dominion of another power; but that this rule should not be an obstacle to the accommodations which might become indispensable for the fixing of the boundaries of the Republic with other neighboring countries, as long as no village should lose its nationality through the same."

As though to contrast with this last clause the following, article 13 was written in the constitutions of 1864, 1874, and 1881: "The States of the Venezuelan Confeder-

ation bind themselves to the following: 4th, not to alienate to a foreign power any portion of their territory, nor to implore its protection, nor to establish or carry on relations either political or diplomatic with other nations, as all this is left for the Federal Government to do."

Here are to be found prohibitions which refer as much to the States singly as to the whole of them, and such are those concerning the territory and the asking the protection of another power. The other prohibition affects the States only in their individual character, as one of the objects of the Union is to delegate the exercise of external sovereignty in the entity formed by the whole.

Venezuela and Great Britain have equal rights in the question which is being ventilated. If the Republic yielded any part of her pretension she would acknowledge the superiority of the British claim; she would violate the aforesaid article of the constitution and would incur the reproaches of the citizens.

But when both nations, setting aside their independence, for the sake of peace and good friendship, create by common consent a tribunal which is to decide upon the controversy, the latter can determine that one of the parties, or both, is mistaken in its judgment as to the extent of its territory. In this manner the decision would not clash with the constitution of the Republic, as there would be no alienation of what would prove not to be her property.

Arbitration alone possesses this advantage among the means of settling international disputes, especially when it has become evident that neither conventions nor compromises could possibly lead to the desired object.

What your excellency states in regard to Her British Majesty's Government's not maintaining the limits that they originally believed to be those of Guiana is a proof that there may be some ground for their modifying their opinion in the matter in question. But I beg to be allowed to remark that Lord Granville's proposal is, for unknown reasons, less favorable to Venezuela than that of Lord Aberdeen, as, if the latter spontaneously presented as a limit the course of river Moroco, the former has traced a more northerly line, commencing at a point of the coast 29 miles in longitude to the east of the right bank of river Barima.

I beg to renew to your excellency the assurances of my highest consideration.

RAFAEL SEIJAS.

To His Excellency Col. C. E. MANSFIELD,
Her Britannic Majesty's Minister Resident.

No. 13.

Mr. Mansfield to Señor Rafael Seijas.

CARACAS, April 16, 1884.

MONSIEUR LE MINISTRE: I beg to offer my best thanks for your excellency's note of the 9th instant, in which you do me the honor to state at further length the difficulties which in the opinion of the President are presented by the provisions of the constitution to the settlement by treaty of the boundary between this Republic and the dominions of Her Majesty in Guiana.

To my great regret, I perceive that there appears to remain but little prospect of a solution of the question. The whole matter, however, will come under discussion between the new Venezuelan plenipotentiary in London and Her Majesty's Government, when perhaps some "modus operandi" may be devised in accordance with the views of the two Governments.

I have not thought it advisable to personally enter further into the question, as I might be drifted into engaging in the discussion and consideration of points concerning which I was instructed that negotiations would be carried on in London in the event of Venezuela being represented in that capital, and only in Caracas in a contrary contingency; but I shall not fail, when I transmit a copy and translation of your excellency's late note, to accompany the same with any observations which may appear to be relevant to the case in question; and I can only conclude with the hope that the friendly spirit in which the subject is being approached by both Governments may not in the end prove barren of results.

With the assurance of my distinguished consideration, I have the honor to be your excellency's most obedient, humble servant,

C. E. MANSFIELD.

His Excellency Señor RAFAEL SEIJAS, etc.

No. 14.

Mr. Mansfield to General Vicente Amengual.

CARACAS, August 6, 1884.

MONSIEUR LE MINISTRE: With reference to correspondence which took place in the spring of the present year between your excellency's predecessor and this legation, concerning the long pending question of the frontier between British Guiana and the Republic of Venezuela, I beg to say that I transmitted to London copies and translations of the latest communications of Señor Seijas, and after careful considerations of the same Lord Granville instructs me to state that Her Majesty's Government adhere to their opinion that arbitration is not a desirable or indeed a suitable mode of dealing with the subject, and Her Majesty's Government entertain earnest hopes that some other solution, such as negotiation by mutual agreement, may be devised for settling this question of now more than half a century's standing.

With the renewed assurance of my distinguished consideration, I have the honor to be, Monsieur le Ministre, your excellency's most obedient, humble servant,

C. E. MANSFIELD.

To his Excellency General VICENTE AMENGUAL,
Secretary of State for Foreign Affairs.

No. 15.

Mr. Mansfield to General Vicente Amengual.

CARACAS, May 28, 1884.

MONSIEUR LE MINISTRE: It will doubtless be in your excellency's knowledge that an important correspondence has taken place between this legation and your excellency's predecessor upon the subject of the differential duties imposed in Venezuelan ports upon goods coming from Her Majesty's colonies in the West Indies.

It will be remembered that the imposition of the duties in question was regarded by Her Majesty's Government as an infringement of the treaty of 1825; the Venezuelan Government, on the other hand, did not consider that the treaty had been infringed, adducing arguments in favor of their view of the question in which Her Majesty's Government did not acquiesce.

The Venezuelan Government further suggested that additional articles should be supplemented to our treaty, and I have now received a communication from Earl Granville which will, I conceive, be found to be in harmony with the views of the Government of the Republic.

Earl Granville has authorized me to propose to the Venezuelan Government, without prejudice to the claims of Her Majesty's Government, an article limiting the duration of the treaty to ten years, provided the Venezuelan Government consent to a further article whereby the two countries shall extend to each other absolute most favored nation treatment in all matters, without condition or reservation whatsoever, and without distinction between the United Kingdom and the British colonies, and also that such article shall remain in force after the termination of the existing treaty until a new one shall be concluded.

In view of the great length of time during which the question has remained unsettled, Her Majesty's Government consider that if the above terms should not be accepted, they (Her Majesty's Government) would entirely resume the interpretation which they put in the existing treaty and would renew their demand for indemnity, offering at the same time to refer the solution of the question to international arbitration.

I feel certain that your excellency will agree with me as to the extreme improbability of the latter contingency coming under discussion, and I entertain no doubt that the agreement, of which I inclose a draught, will, with little or no modification, be deemed acceptable by the Government of the Republic, inasmuch as the points embodied are in complete accordance with the view of the Venezuelan Government as conveyed to me by Señor Seijas.

Availing myself of this occasion to renew to your excellency the assurance of my distinguished consideration, I have the honor to be your excellency's most obedient, humble servant.

C. E. MANSFIELD.

His Excellency General VICENTE AMENGUAL, Etc.

[Inclosure in No 15.]

Agreement with Venezuela for settling the differential duties question.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of the United States of Venezuela, being desirous of putting an end to the differences which have arisen respecting the meaning of certain stipulations in the treaty between Great Britain and the Republic of Colombia of the 18th April, 1825, which treaty was adopted and confirmed by the treaty between Great Britain and Venezuela signed on the 29th of October, 1834;

Col. Charles E. Mansfield, Her Britannic Majesty's minister resident at Caracas, and Señor ———, being duly authorized thereto by their respective Governments, have agreed upon the following articles, viz:

ARTICLE I.

The treaty between Great Britain and the United States of Colombia, dated April 18, 1825, as adopted and confirmed by the treaty between Great Britain and the United States of Venezuela, dated October 29, 1834, shall remain in force for ten years from the date of the present agreement, and thereafter until the expiration of a year from the day on which the Government of Great Britain or of Venezuela shall have notified to the Government of the other its desire to terminate the said treaties.

ARTICLE II.

Each of the parties hereto undertakes to grant to the subjects or citizens of the other, as regards their persons, property, and all other matters, the treatment granted to the subjects or citizens of the nation most favored in each such respect; and likewise to grant in every respect to the produce and manufactures of the other country, whencesoever and in vessels of whatsoever nationality arriving, the treatment granted to the produce and manufactures, whencesoever and in vessels of whatsoever nationality arriving, of the nation most favored in each such respect, and this absolutely, without any condition or reservation whatsoever.

Full participation in the benefits secured by the present agreement is hereby accorded to all of Her Majesty's colonies and foreign possessions.

ARTICLE III.

In the event of the aforesaid treaties of the 18th of April, 1825, and the 29th of October, 1834, being denounced according to the provisions of Article I of the present agreement, all the provisions of Article II of the present agreement shall remain in force from the date of the termination of the above-mentioned treaties until a new treaty shall have come into force between the two countries.

The present agreement shall take effect from the date of its signature.

Done at Caracas, etc.

No. 16.

Señor Amengual to Colonel Mansfield.

[Translation.]

CARACAS, May 31, 1884.

M. LE MINISTRE: I have had the honor to receive and submit to the consideration of the Government the note which your excellency addressed to me on the 28th concerning the manner of settling the pending question which has arisen out of the decree which placed an additional duty upon merchandise coming from the West Indies, your excellency accompanying the same with the draught of an agreement, which you regard as acceptable by the Republic, considering that it embodies the views which the Republic has expressed upon the question.

By the proposed settlement, it is agreed to fix the term of ten years to the treaty concluded between Colombia and His Britannic Majesty in 1825, and which Venezuela adopted and confirmed in 1834, with the condition that there be added another article, by which shall be conceded to Great Britain, inclusively with her colonies and possessions in foreign countries, and without condition or exception of any description, most favored-nation treatment as regards the persons, goods, productions,

and manufactures of citizens and subjects of one and the other party. It is stated, moreover, that these conditions shall remain in force even after the denouncing of the treaty at the end of ten years until a new treaty shall enter into operation. In conclusions that the proposed agreement must take effect the day of signature.

The President of the Republic sees with satisfaction that the Government of Her Majesty is following in the cause of that good understanding and cordiality which is preparing a happy solution for these and the other points of difference between the two countries.

Before this date your excellency was already informed that the illustrious American, General Guzman Blanco, who, as President, initiated and treated these subjects, is starting for London in the course of the next few days to represent Venezuela as envoy extraordinary and minister plenipotentiary.

One of the duties confided to him has relation to the subject now under consideration, and for that reason it will but appear natural and logical to your excellency that the President should carry on the negotiation in the capital, inasmuch as before the nomination the same had already been imparted to your excellency.

I should add to your excellency that the illustrious American will lose no time in communicating the answer of the Government, and reiterating the expression of their gratification at the turn which the subject is taking.

I renew, etc.

VINCENTE AMENGUAL.

PART II.

No. 17.

Memorandum communicated to Sir Julian Pauncefote by General Guzman Blanco.

The Government of Great Britain proposes to that of Venezuela the simultaneous settlement of these questions of limits, differential duties, and pecuniary claims.

As regards the first, the Government of the Republic finds in its constitution an insuperable difficulty to settle it in any other way but arbitration.

In fact, the States of the Confederation of Venezuela bind themselves therein to alienate to no foreign power any part of their territory. Therefore it is impossible for them to make or accept any treaty in which are not recognized the same limits which, in the year 1810, belonged to the former captaincy-general of Venezuela, to wit, the limits of the United States of the Venezuelan Confederation, according to what is established in another article of the above-mentioned constitution.

For this reason arbitration was proposed, bearing in mind that the decision of a third power would not imply the alienation of territory, but simply a declaration of the present rights of the parties. Her Britannic Majesty's cabinet did not consider the proposal admissible. Venezuela now proposes, instead of the arbitration of a friendly power, the sentence of a commission of jurists composed of persons chosen respectively by the parties.

No. 18.

Earl Granville to General Guzman Blanco.

FOREIGN OFFICE, December 24, 1884.

MONSIEUR LE MINISTRE: In the course of the conversation we had in this office on the 25th of October last, about the settlement of the question of limits with Venezuela, you observed that according to the provisions of her constitution neither Congress nor the executive had the power to alienate any portion of the Venezuelan territory and that therefore the Government of the Republic could not enter into any settlement which involved the cession of any portion of the territory claimed by Venezuela as belonging to her. I now have the honor of pointing out to you that the object of the proposal made to the Government of Venezuela by that of Her Majesty for the settlement of this question was to determine the proper boundary lines between Venezuela and the colony of British Guiana, and not to obtain the cession of any part of the Venezuelan territory.

I have the honor to sign myself, Monsieur le Ministre, with the highest consideration, your most obedient, humble servant,

GRANVILLE.

Señor General GUZMAN BLANCO, etc.

No. 19.

General Guzman Blanco to Earl Granville.

LEGATION OF VENEZUELA IN LONDON. NUMERO 200.
194 Queen's Gate, London, December 30, 1884.

MY LORD: I beg to acknowledge the receipt of your excellency's note of the 24th of this month, in which your excellency reminds me of an observation which I made during an interview on the 25th of October, about the manner of settling the pending question of limits, and your excellency points out to me that the object of the proposals made by the Government of Great Britain to that of Venezuela for the settlement of the question was to determine the proper boundary lines between the Republic and the colony of British Guiana, and not to obtain the cession of any part of the Venezuelan territory.

In that interview I merely observed the difficulty because it referred principally to other points. I was more explicit on a later occasion in an interview I had with Sir Julian Pauncefote, to whom I even left a memorandum in which I fully exposed my views.

I shall explain myself better.

Article III of our constitution is as follows: "The boundary lines of the United States of the Venezuelan Confederation are the same as those which in the year 1810 belonged to the former captaincy-general of Venezuela."

When the treaty of peace and recognitions was signed by Venezuela and Spain, the 30th of March, 1845, His Catholic Majesty waived, on behalf of the Republic, the sovereignty, rights, and actions which belonged to her over the American territory, known by its former name of "captaincy-general of Venezuela." In consequence, His Catholic Majesty recognized the Republic of Venezuela as a free nation, sovereign and independent, and composed of the provinces and territories denominated in her constitution and other posterior laws, to wit, Margarita, Guiana, Cumana, Barcelona, Caracas, Carobobo, Barquisimeto, Barinas, Apure, Mérida, Trujillo, Coro, and Maracaibo, and any other territories or islands that may belong to it.

Article XIII of the constitution establishes as one of the bases of the union, 4th, "that the States bind themselves not to alienate to any foreign power any part of their territory."

And now, combining the aforesaid provisions, the difficulty which Venezuela finds for the settlement of a boundary question in any other way than by arbitration becomes plain. The Republic understands that the limits of the old captaincy-general of Venezuela reached as far as the Essequibo, while Great Britain contradicts this. Therefore, were the Republic to admit a different line, whatever might be the reason of this it would imply the alienation or cession of territory. Neither the one side nor the other, being, as they are, interested parties, can decide the question impartially; but if it is submitted to the decision of a commission of jurists who would examine the titles of both nations this commission will decide according to the merits of the proofs adduced and each side will have to submit to the loss of the territory to which, according to the decision of the commission, it has no right and to be content with the one that the sentence declares to be its property, giving thereby to public opinion and to the Federal Congress of my country no ground to believe that there has been any cession of the country's territory, which is prohibited in an absolute and irrevocable manner by the constitution of Venezuela.

In view of all the reasons which have been stated, the Government of the Republic proposed the arbitration of a friendly nation to that of Her Britannic Majesty; but as this has not been accepted I am instructed to propose that the question be submitted to a commission of jurists composed of persons chosen by both parties. I stated the same thing in a memorandum which I placed in the hands of Sir Julian Pauncefote, which, as he told me, was to be submitted to the secretary of state for the colonies.

This matter is of so much importance to Venezuela that it is one of the principal motives of my coming to England to endeavor to bring about the solution initiated by Venezuela since 1881. I beg, therefore, to be allowed to recommend the last proposition to the prompt consideration of your excellency, and I entertain the hope that this time I shall find the means of bringing the difficulty to an end, as it is most earnestly desired by the Republic.

I beg to renew to your excellency the assurance of my highest consideration.

GUZMAN BLANCO.

To His Excellency Earl GRANVILLE,
Her Britannic Majesty's Principal Secretary of State for Foreign Affairs.

S. Ex. 226—8

No. 20.

*Earl Granville to General Guzman Blanco.*FOREIGN OFFICE, *January 24, 1885.*

MONSIEUR LE MINISTRE: I have had the honor of receiving your letter of the 30th ultimo, which reached this office on the 17th instant, referring to the question of limits between Venezuela and British Guiana, and I beg, in answer, to inform you that it will receive the careful consideration of Her Majesty's Government.

I have the honor to sign myself, Monsieur le Ministre, with the highest consideration, your most obedient, humble servant,

GRANVILLE.

Señor General GUZMÁN BLANCO, Etc.

No. 21.

*Earl Granville to General Guzman Blanco.*FOREIGN OFFICE, *February 13, 1885.*

MONSIEUR LE MINISTRE: With reference to my communication of the 24th ultimo, I have the honor to state to you that Her Majesty's Government have carefully considered the proposal made to them in your letter of 30th of December last, that the settlement of the disputed boundary between British Guiana and Venezuela should be intrusted to a commission of jurists, nominated by the British and Venezuelan Governments, whose decision should be final.

I regret to have to inform you, Monsieur le Ministre, that the above proposal presents constitutional difficulties which prevent Her Majesty's Government from acceding to it, and that they are not prepared to depart from the arrangement proposed by the Venezuelan Government in 1877 and accepted by Her Majesty's Government, to decide the question by adopting a conventional boundary fixed by mutual consent between the two Governments.

I have, etc.,

GRANVILLE.

Señor General GUZMÁN BLANCO, etc.

No. 22.

Memorandum communicated to Earl Granville by General Guzman Blanco, January 22, 1885.

The Government of the United States of Venezuela and the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of putting an end to the differences which have arisen respecting the meaning of certain stipulations in the treaty between the Republic of Colombia and Great Britain of the 18th April, 1825, which treaty was adopted and confirmed by the treaty between Venezuela and Great Britain signed the 29th October, 1834, have appointed as their respective plenipotentiaries, to wit:

"The Government of the United States of Venezuela,

"And the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland,

"Who, after having communicated to each other their full powers, and found them in good and due form, have agreed upon the following articles:"

This preamble does not differ from the one proposed lately by Her Majesty's Government.

"Article I. As in the old treaty.

"Article II. As in the old treaty.

"Article III. As in the old treaty.

"Article IV. As in the old treaty."

To include the colonies and possessions of Her Britannic Majesty, as desired by her Government, in the advantages granted to the metropolis concerning navigation and commerce, it is proposed to add, between the fourth and fifth articles, a new article of the following purport:

"The stipulations in the preceding articles shall be extended to all of Her Majesty's colonies and foreign possessions.

"Article V. As in the old treaty.

"Article VI. As in the old treaty.

"Article VII. Shall be considered as Venezuelan in Great Britain, and as British in the United States of Venezuela to all intents and purposes, those vessels provided with the sea papers and documents required by the laws of each of the two contracting parties to justify the character of the merchant vessels."

It is proposed to replace the seventh article of the old treaty by the above, on the ground that the provisions of the former do not seem to be applicable to a republic like Venezuela, so different from the great Colombia of 1825, and that, instead of checking the development of her navy, ought, on the contrary, to look for the means of increasing it. If, in order to regard as Venezuelan a vessel, she must be constructed in Venezuela, as the naval industry is there in its infancy, the number of her ships would be exceedingly limited, and her flag would scarcely ever wave on foreign waters. On the other hand, should vessels bought by the Government, or those seized upon her enemies, or those forfeited in conformity with her laws, be not deemed Venezuelan, the Republic would want the necessary means of self-defense, or the power to punish the infringement of her laws.

"Article VIII. As in the old treaty.

"Article IX. As in the old treaty.

"Article X. As in the old treaty.

"Article XI. As in the old treaty.

"Article XII. This article is not required now, for, after 1825 the legislation has experienced such changes, that a complete liberty of worship exists in Venezuela; and, moreover, the interference with the exercise of such a liberty is viewed and punished as a misdemeanor. On the other hand, the cemeteries now in the Republic are burial grounds for natives and foreigners, with no difference of religion.

"Article XIII. This article is not necessary to-day, the promise therein contained having been fulfilled on the 15th March, 1839, by the conclusion of a treaty between Venezuela and Her Britannic Majesty for the abolition of the slave trade."

The fourteenth article has no *raison d'être* at this time, when the omission of 1825 is going to be filled.

The fifteenth article might be drawn in this shape:

"The present treaty of amity, commerce, and navigation shall be ratified according to the constitution and law of the Republic of the United States of Venezuela, and by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the ratifications shall be exchanged in London within the term of six months from this day, or sooner if possible."

It is thought advisable to add an article fixing the duration of the treaty.

"The present treaty, which, from the date of its ratifications, shall be substituted for the one concluded by Colombia and Great Britain on the 18th April, 1825, and renewed with Venezuela on the 29th October, 1834, shall expire five years after the exchange of its ratifications; but if, one year before the expiration of such a term, neither of the parties shall give to the other notice of its intention of terminating it, it shall continue in force for one year more, and so on from year to year till such notice is given."

No. 23.

Earl Granville to General Guzmán Blanco.

FOREIGN OFFICE, January 28, 1885.

M. LE MINISTRE: I have the honour to state that I have carefully examined the draught treaty between Great Britain and Venezuela which you were so good as to communicate on the 22d instant to Lord Edmond Fitzmaurice.

The draught in question is chiefly a re-enactment of the treaty of 1825, but with the addition of some articles of dealing with the inclusion of Her Majesty's colonies, and with the duration of the treaty itself, and of others dealing modifications of certain provisions of the treaty which the Venezuelan Government consider to require amendment.

It is the opinion of Her Majesty's Government that the treaty of 1825 is in many respects not in accordance with modern requirements, and that it might with advantage be recast in many particulars. Her Majesty's Government are therefore of opinion that it is not advisable or opportune to reproduce these old articles textually in a new treaty.

I wish, however, to remind you that the two questions which have formed the subject-matter of the present negotiation are the duration of the treaty and the meaning of the colonial article. In regard to the former, the term of five years suggested as the minimum duration of the treaty in the final article of the draught ap-

pears to Her Majesty's Government as unusually short, and they trust that in any new treaty the Venezuelan Government will agree to a period of ten years at least.

The proposed addition to the fourth article, dealing with the British colonies, does not appear to Her Majesty's Government to meet the circumstances of the present case with sufficient explicitness. The prime object of Her Majesty's Government, in consenting to modify the existing treaty, has been to secure the removal of the differential duties levied on goods imported into Venezuela from the West Indies. Her Majesty's Government have always held, and still hold, that the imposition of these duties constitutes an infraction of the treaty of 1825; but the Government of Venezuela has sought to justify its action by placing on the articles of the existing treaty interpretations in which Her Majesty's Government have not been able to concur. In the first place, the Government of Venezuela has held that the treaty does not apply to the colonies. In regard to this contention, the proposed addition to Article IV would no doubt remove all uncertainty upon the subject. But, in the second place, the Venezuelan Government has maintained that, even though the treaty did apply to the colonies, the differential duties are no infraction of the treaty stipulated for in Article IV. Thus, in his note of the 7th January, 1892, his excellency the minister for foreign affairs made the following statement to Her Majesty's minister at Caracas: "The new law, it is true, imposes a differential duty upon merchandise coming from the Antilles, but this duty is imposed on the merchandise of all nations, including Venezuela; so that even Venezuelan produce imported from these islands is subject to the additional duty. Thus the unequal treatment alleged in your observations does not exist."

Again, in his note of the 15th March of the same year, his excellency said: "Great Britain has a right that no other or higher duties be imposed on the importation of articles the growth, produce, or manufacture of either the metropolis or the British dominions than may be imposed on the like products of metropolis or the dominions of any other foreign country."

"Our law, whilst charging an additional tax on goods coming from the West Indies, makes no difference as regards the place from which they originally proceed, so that British goods coming from the West Indies; no difference is made in favor of any particular country. Thus the right to perfect equality of treatment, which we are bound under our treaty to extend to Great Britain, is maintained intact."

Her Majesty's Government entirely dissent from this interpretation of the most favored nation article.

Such an interpretation would indeed nullify that article, for it would justify the imposition of differential duties in favor of France, for example, by a law declaring that lower duties should be paid on goods into Venezuela from France than on similar goods imported from England. In that case it might equally be said that all goods coming from France or from England, respectively, were treated alike, because French goods sent through England to Venezuela would pay as high a duty as English goods, while English goods sent through France to Venezuela could get the benefit of the lower duties.

It does not appear to Her Majesty's Government that the additions to Article IV which you did me the honor to propose in the draught treaty would exclude the above-mentioned interpretation.

Her Majesty's Government are aware, however, from the assurances conveyed to Her Majesty's minister at Caracas, with which you have no doubt been made acquainted, that an agreement on the colonial article has been already practically arrived at between the two Governments; and I have the honor to inclose a copy of the proposals sent by him on the 28th May last to Señor Vicente Amengual, and accepted by the latter as the basis of settlement.* These proposals embody on the one hand the wish of Her Majesty's Government to safeguard the interests of Her Majesty's colonies, and on the other, they carry out the wish of the Venezuelan Government to provide a means of terminating the present treaty.

To this draught convention I have added the usual clause inserted in all the treaties recently concluded by Her Majesty's Government allowing for the accession of the self-governing colonies.

Lord Edmond Fitzmaurice reported to me your assurance, which I received with much gratification, that the Venezuelan Government were anxious that this long-pending question should be settled as soon as possible. This wish her Majesty's Government entirely reciprocate, and I may remind you that they have for a long period been pressing for a settlement of it. Under these circumstances, they trust you will be able at once to accept the above-mentioned draught convention and thus terminate the present controversy.

In conclusion, I may observe that the proposal communicated by you to Lord Edmond Fitzmaurice points to a desire on the part of the Venezuelan Government to conclude a full and revised treaty with Great Britain. With this wish, the previous

* See inclosure in No. 15.

and immediate conclusion of the proposed agreement will in nowise interfere; and I have the honor to inform you that Her Majesty's Government will be glad at the proper time to negotiate such a treaty of the lines of that which has lately been concluded with the Republic of Paraguay. Of this treaty I have the honor to inclose a copy, and to inform you that Her Majesty's Government will be very willing to consider in a friendly spirit any fresh points which the Government of Venezuela may desire to suggest for consideration.

In order to avoid any possibility of misunderstanding as to the interpretation of the most favored nation article, Her Majesty's Government have to insert in the most favored nation article of the above treaty the words "whencesoever arriving," although in nowise of opinion that the article without these, or similar words, will bear the meaning which was sought to be put upon it by the Government of Venezuela.

I have, etc.,

GRANVILLE.

No. 24.

General Guzman Blanco to Earl Granville. (Received March 25.)

[Translation.]

194 QUEEN'S GATE, LONDON,
March 21, 1885.

MY LORD: I have had the honor of receiving your excellency's note, dated the 28th January, respecting the project of a new treaty of commerce between Venezuela and Her Britannic Majesty, which I handed to Lord E. Fitzmaurice on the 22d of the same month. I received then also a draught of the proposal of your excellency's Government, and a copy of a treaty concluded between it and that of Paraguay, on the 16th October, 1884.

The present negotiation aims, on the one hand, at settling the controversy as to the duration of the treaty made with Colombia in 1825, and renewed with Venezuela in 1834; and, on the other hand, at settling the question of the additional duties established by the Republic on the importations from the Antilles.

I thought that both points might be made the subject of one convention, and on that account I formulated a draught, in which most of the old articles are preserved; an addition deciding the existing difficulty is introduced, and the propriety of bringing other articles in harmony with the present state of things is pointed out.

Your excellency says now that, as the treaty of 1825 is in many respects at variance with modern requirements, and might advantageously be recast in another, Her Majesty's Government is of opinion that it is not advisable to reproduce the old articles textually in a new treaty.

But your excellency remarks that the addition proposed by me does not meet the circumstances of the present case—say, the removal of the aforesaid differential duties—with sufficient explicitness, owing to the construction put by Venezuela upon the treaty of 1825; and your excellency adds that the two Governments have agreed practically on the article about the colonies, since Señor Vicente Amengual, the minister for foreign relations, accepted, as the basis of settlement, the proposal sent in by Mr. Mansfield. The said minister replied to that gentleman as follows:

"The President of the Republic is gratified to see that Her Majesty's Government adheres to the line of good understanding and cordiality which prepares the happy solution of these and other points in dispute between the two countries.

"By this date your excellency knows that the illustrious American, General Guzman Blanco, who, in his capacity as President, initiated and has conducted these matters, is going within some days to London to represent Venezuela as envoy extraordinary and minister plenipotentiary. One of the commissions intrusted to him is relative to the points in question; therefore your excellency will find only natural and logic that the President should fix that capital as the seat of the negotiation. Such an appointment, before it was made, had been communicated to your excellency.

"In saying, then, to your excellency that the illustrious American will soon communicate the answer of the Government, and repeating the expression of its satisfaction at the turn things are taking, I renew to your excellency the assurances of my highest consideration."

It is this answer that I have made to your excellency by proposing a convention by which a term is fixed in the treaty of 1825, and the repeal of the decree imposing the additional duties is stipulated at the same time.

But, since your excellency has evinced a disposition to substitute for the obsolete compact of 1825 another in accordance with the modern requirements, and has sent me as a type the treaty concluded between Her Britannic Majesty and Paraguay on

the 16th October, 1884, I accept the same, reserving to me the presentation, on the fitting opportunity, of such alterations, suppressions, or additions as our peculiar circumstances may require.

The clause concerning the colonies might be inserted therein with all the desirable perspicuity, so as to produce the repeal of the differential duties decree.

I repeat now what I stated to Lord Edmond Fitzmaurice on my handing to him my draught, viz, that I am anxious to conclude this negotiation at the soonest, that the commercial community of Trinidad, which shows itself friendly to the peace of Venezuela, may shortly reap the benefits of the suppression of those duties.

Add to this the consideration that the Venezuelan legislature, the ordinary annual session of which lasts only seventy days, and, in case of extension of the same, ninety, met on the 25th February, and consequently has little time left to examine and approve, subject to the constitutional formalities in each house, the treaty we may conclude.

I renew, etc.

GUZMAN BLANCO.

No. 25.

Earl Granville to General Guzman Blanco.

FOREIGN OFFICE, April 2, 1885.

M. LE MINISTRE: I have the honor to acknowledge the receipt of your note of the 21st ultimo respecting the treaty relations between Her Majesty's Government and the Republic of Venezuela.

In my note of the 28th January last, I had the honor to inform you of the points in which the draft treaty communicated by you to Lord Edmond Fitzmaurice was insufficient to put an end to the differences which have arisen respecting the interpretation of the treaty of 1825; and I inclosed a copy of a draft of convention which had already been submitted to the cabinet at Caracas.

Throughout the discussion of this question Her Majesty's Government have shown the greatest anxiety to meet the legitimate wishes of the Government of the Republic. They accordingly acquiesced at once in the wish of that Government for a new treaty, and proposed to negotiate a full treaty in accordance with modern precedents, after the signature of the convention. But they did not anticipate that their action in so doing could be a source of fresh delay. They regret, therefore, that in your note, to which I now have the honor to reply, while the proposal to negotiate an entirely new treaty is accepted, it is not stated whether the Venezuelan Government finally accepts the draft convention, or for what reasons they reject it, if such is their meaning and intention. Her Majesty's Government also regret that in accepting the treaty with Paraguay as the basis for the new treaty, it is not stated in what particulars the Venezuelan Government wish to see it altered.

I fear that owing to the delay which has taken place, it will now be impossible to decide what alterations, if any, may be requisite in time for the treaty to be approved by the Venezuelan legislature in the present session. This being the case, I trust, M. le Ministre, that you are able to proceed immediately to the signature of the draft convention, with the terms of which the Venezuelan Government is already familiar. The signature need not interfere with the subsequent negotiation of an entirely new treaty.

But whether you are able immediately to accept the convention or not, I trust that you will, in order to prevent the lapse of any time between the signature of the definitive agreement and the abrogation of the differential duties, most strongly urge your Government by telegraph to take the necessary constitutional powers by anticipation before the close of the legislative session to remit those duties as soon as a treaty or other agreement shall have been signed. Such treaty or other agreement could then be submitted to the legislature in the next session.

The adoption by Venezuela of an interpretation of the most-favored-nation clause which establishes differential duties against a part of Her Majesty's dominions, and which is quite different to that hitherto accepted generally, could not be considered by Her Majesty's Government otherwise than as an unfriendly act. They note, however, with satisfaction the expression of your desire to settle the question, and they feel convinced that you will, as a proof of that desire, use your great influence with the Venezuelan Government to prevent any further delay taking place at the present stage of the negotiations, when each part is acquainted with the wishes of the other, and has happily found means of acceding to them.

I may point out to you that considerable interest is taken in this subject in Parliament, and that Her Majesty's Government will shortly be under the necessity of presenting papers.

I have, etc.,

GRANVILLE.

No. 26.

General Guzman Blanco to Earl Granville.

[Extract.—Translation.]

194 QUEEN'S GATE, LONDON, April 6, 1885. (Received April 8.)

I have the honor of informing your excellency that I have received your communication of the 2d instant, respecting a treaty of amity and commerce between Venezuela and Great Britain.

Since my arrival in this country, at the first interview I held with your excellency I stated that the Government of the Republic was ready to terminate, as wished by Her Britannic Majesty's Government, the point spoken of in Mr. Mansfield's note of the 15th October, 1883,* namely, the differential duties imposed upon the imports from British colonies.

Your excellency referred me for the discussion of details to Lord E. Fitzmaurice and Sir Julian Pauncefote. I have had with them several interviews concerning the points I was instructed to bring to a speedy end.

Confining myself here to the subject of the treaty, may I be permitted to remind that it was I who brought forth the first formula for giving a solution to the difficulties that had occurred. Your excellency found it to be insufficient, declaring at the same time that many of the provisions in the treaty of 1825 were not in accordance with modern requirement and inclosing copies of the one concluded with Paraguay on the 16th October, 1884, to be taken as a standard. On the same occasion your excellency assured me that an agreement had already practically been arrived at between the two Governments about the colonial article, since M. Amengual had accepted as the basis of settlement the proposals sent to him by Colonel Mansfield. Your excellency transmitted them to me with an additional clause relative to the self-governing colonies. All those circumstances prescribed to me the duty of consulting with my Government, particularly as your excellency's statement that Señor Amengual had accepted the proposal of Mr. Mansfield was not in harmony with my instructions. As soon as I received a reply, I addressed to your excellency note dated the 21st March. So that, if in the course of this negotiation a delay has occurred, it has not been owing to me, but to the turn things have taken.

If Her Majesty's Government are anxious to terminate this question, the Venezuelan Government, which have sent me here with such a purpose, are no less prompted by the same earnest desire.

After the receipt of my new instructions, it is not possible for me to treat about the draft convention referred to and to put off till another time the resumption of the negotiation for a new treaty. It is incumbent upon me to forward the conclusion of the latter alone; this the means, not only of settling the existing differences, but of laying at once and forever the foundations of a solid, good understanding between the two parties, and the means, moreover, of simplifying the work by causing it to be one instead of dividing it into several.

Upon the strength of the above, I transmit to your excellency the project of a treaty which I am authorized to agree upon and sign as soon as your excellency is willing to do so. It is identical in most of its articles with the treaty of Paraguay, which your excellency sent me as a type; and some alterations only have been made in the second and fourth articles, and a new one has been introduced in regard to the necessity of arbitration as the single means of preventing any difference from affecting the friendly relations between the two countries. The treaty I present, immediately after the exchange of its ratifications, would be substituted for that of 1834, and would secure the results wished for on both sides.

The moment it would be signed, I should communicate the fact by telegraph to my Government, with the certainty that they would call upon Congress to extend its present session in order to examine and approve of the compact. At all events, the differential duties would be suppressed, so that no inconvenience need be apprehended in this particular.

No. 27.

Project of treaty.

ARTICLE II.

The contracting parties agree that in all matters relating to commerce and navigation any privilege, favor, or immunity whatever, other than those provided for under Article III, which either contracting party has actually granted or may here-

* See No. 1.

CON

No. 30.

Earl Granville to General Guzman Blanco.

FOREIGN OFFICE, May 15, 1885.

M. LE MINISTRE: I have the honor to acknowledge the receipt, on the 12th instant, of your note, dated the 6th instant, respecting the proposed new treaty between Great Britain and Venezuela.

In reply, I have the honor to inform you that Her Majesty's Government agree to the substitution of the phrase "power" to be chosen by the high contracting parties, instead of "arbitrators," in the article respecting arbitration, and that they further agree that the undertaking to refer differences to arbitration shall include all differences which may arise between the high contracting parties, and not those only which arise on the interpretation of the treaty.

Her Majesty's Government are also prepared to meet generally the wishes of the Venezuelan Government as to river navigation and coasting trade as connected with it; but I beg leave to point out that this exception to most favored nation or national treatment should not interfere with ocean-going steamers touching consecutively at two or more ports of the Republic.

With regard to the arrangements made by Venezuela with Colombia, I have the honor to state that Her Majesty's Government will agree that the provisions of the most-favored-nation article proposed by them shall not include special arrangements with regard to local trade entered into by Venezuela with respect to traffic across the land frontier.

I trust that these modifications will meet your views, and that I may shortly hear from you that a formal draught treaty framed on that with Paraguay, with the addition of an article respecting arbitration and the alterations in the most-favored-nation stipulations now suggested, may be prepared for your approval.

I am, etc.,

GRANVILLE.

No. 31.

General Guzman Blanco to Earl Granville.

[Translation.]

194 QUEEN'S GATE, LONDON, June 8, 1885. (Received June 10.)

MY LORD: I have with much satisfaction received your excellency's dispatch of the 15th ultimo, by which your excellency is pleased to inform me that Her Majesty's Government agree to the substitution of the phrase "power" to be chosen by the high contracting parties, instead of "arbitrators," in the article respecting "arbitration," and that they further agree that the undertaking to refer differences to arbitration shall include all differences which may arise between the high contracting parties, and not those only which arise on the interpretation of the treaty.

Your excellency adds that Her Majesty's Government are also prepared to meet generally the wishes of the Venezuelan Government as to river navigation and coasting trade as connected with it, but on the understanding that this exception to most-favored nation or national treatment should not interfere with ocean-going steamers touching consecutively at two or more ports of the Republic.

Your excellency states at last that Her Majesty's Government will agree that the provisions of the most-favored-nation article proposed by them shall not include special arrangements entered into by Venezuela with neighboring countries with respect to traffic across the land frontier.

These premises being set down and taking into account, with reference to river navigation and coasting trade, that the fiscal laws of the Republic permit foreign vessels to take cargoes or passengers to two or more authorized ("habilitados") ports, or to receive them there, I see that the negotiation is about to terminate satisfactorily.

Upon the understanding, therefore, that we agree as to the points expressed and those which have not been made the subject of any particular remark, I hope that your excellency, according to the closing part of your note, will deign to have prepared and sent to me for examination a formal draught treaty framed on that concluded between Great Britain and Paraguay on the 18th October, 1884, and on the results of the negotiation we have pursued.

In order to facilitate the accomplishment of such a work, I beg leave to inclose a draught treaty elaborated upon the aforesaid bases.

I renew, etc.,

GUZMAN BLANCO.

when the means of settling them directly by amicable agreement are exhausted, to the decision of commissions of arbitration, and that the result of such arbitration shall be binding upon both Governments.

"The members of such commissions shall be selected by the two Governments by common consent, failing which each of the parties shall nominate an arbitrator, or an equal number of arbitrators, and the arbitrators thus appointed shall select an umpire.

"The procedure of the arbitration shall in each case be determined by the contracting parties, failing which the commission of arbitration shall be itself entitled to determine it beforehand."

This concerns only the controversies arising out of the interpretation or execution of the treaty to be concluded, but not those emanating from another source. On the other hand, it seems that the commissions of arbitration spoken of will not consist of powers, but of private persons.

Now, the clause which the federal constitution of the Republic prescribes for her guidance is as follows:

"Article 109. In the international treaties of commerce and amity there shall be inserted a clause to the effect that all differences between the contracting parties shall be decided without appeal to war by the arbitration of a friendly power or of friendly powers."

Venezuela has agreed thereto with the United States of Colombia, Italy, Denmark, Belgium, Spain, El Salvador, and Bolivia.

In conformity with that article, I wrote the one stipulating for arbitration in a general way, and with reference to third powers.

I think that owing to the above reflections your excellency will find me justified in again calling your attention to the wording of the arbitration clause, in the hope that it may bring about every desirable result.

Moreover, I fain agree to what in connection with the procedure is suggested by your excellency as a means of supplying the deficiencies shown by experience.

Proceeding now to consider the most favored nation clause, it is incumbent upon me to remind your excellency that Venezuela has not yet reached such a development as to be able to enter upon the financial system adopted by Great Britain.

So her legislation rests upon contrary principles, and it would require to change it radically to give room to the new Britannic system.

For instance, the 18th law of her fiscal code defines thus the coasting trade:

"Interior maritime coasting trade is that carried on from ports of entry and points on the Venezuelan coast by national vessels transporting foreign goods which have paid the duties levied thereon, or produce the growth of the country."

In accordance with that, in a treaty between Venezuela and Spain of the 20th May, 1882, it was stipulated that the coasting trade of the respective countries should remain exclusively reserved to the national flag; and so on in other treaties.

There are among nations special grounds which make them determine upon certain acts. I will quote an example from a treaty signed between Venezuela and New Granada on the 23d July, 1842, the 26th article of which is to the following effect:

"The Republic of Venezuela and the Republic of New Granada, with a view to prevent any interpretation contrary to their intentions, do hereby declare that any advantages with both or either of them may derive from the foregoing stipulations are and must be understood to be a natural result of the political connections they formed when before united in a single body of nation, and as a compensation for the alliance they have entered into to support their independence."

Here are not one but several reasons which justified the granting of exceptional favors by each of the two republics to the other, and another highly important reason may be added anent the navigation of some of them traversing the territory of both nations or receiving affluents from each other.

In such a case there would be no ground for extending the stipulations required by the same to third powers differently circumstanced.

I come, therefore, to the conclusion that, so long as Venezuela does not attain to the stage of development and prosperity at which Great Britain has arrived, it is not possible for the former to agree upon that clause, as desired by your excellency.

Such being the case, I propose either to preserve the 9th article in the old Colombian treaty, or to leave out the word "unconditionally" in the 2d and 3d articles in the Paraguayan treaty, and the word "rivers" in the 3d, adding that the coasting trade is not included in the concessions therein expressed.

I remain, etc.,

GUZMAN BLANCO.

No. 30.

Earl Granville to General Guzman Blanco.

FOREIGN OFFICE, May 15, 1885.

M. LE MINISTRE: I have the honor to acknowledge the receipt, on the 12th instant, of your note, dated the 6th instant, respecting the proposed new treaty between Great Britain and Venezuela.

In reply, I have the honor to inform you that Her Majesty's Government agree to the substitution of the phrase "power" to be chosen by the high contracting parties, instead of "arbitrators," in the article respecting arbitration, and that they further agree that the undertaking to refer differences to arbitration shall include all differences which may arise between the high contracting parties, and not those only which arise on the interpretation of the treaty.

Her Majesty's Government are also prepared to meet generally the wishes of the Venezuelan Government as to river navigation and coasting trade as connected with it; but I beg leave to point out that this exception to most favored nation or national treatment should not interfere with ocean-going steamers touching consecutively at two or more ports of the Republic.

With regard to the arrangements made by Venezuela with Colombia, I have the honor to state that Her Majesty's Government will agree that the provisions of the most-favored-nation article proposed by them shall not include special arrangements with regard to local trade entered into by Venezuela with respect to traffic across the land frontier.

I trust that these modifications will meet your views, and that I may shortly hear from you that a formal draught treaty framed on that with Paraguay, with the addition of an article respecting arbitration and the alterations in the most-favored-nation stipulations now suggested, may be prepared for your approval.

I am, etc.,

GRANVILLE.

No. 31.

General Guzman Blanco to Earl Granville.

[Translation.]

194 QUEEN'S GATE, LONDON, June 8, 1885. (Received June 10.)

MY LORD: I have with much satisfaction received your excellency's dispatch of the 15th ultimo, by which your excellency is pleased to inform me that Her Majesty's Government agree to the substitution of the phrase "power" to be chosen by the high contracting parties, instead of "arbitrators," in the article respecting "arbitration," and that they further agree that the undertaking to refer differences to arbitration shall include all differences which may arise between the high contracting parties, and not those only which arise on the interpretation of the treaty.

Your excellency adds that Her Majesty's Government are also prepared to meet generally the wishes of the Venezuelan Government as to river navigation and coasting trade as connected with it, but on the understanding that this exception to most-favored nation or national treatment should not interfere with ocean-going steamers touching consecutively at two or more ports of the Republic.

Your excellency states at last that Her Majesty's Government will agree that the provisions of the most-favored-nation article proposed by them shall not include special arrangements entered into by Venezuela with neighboring countries with respect to traffic across the land frontier.

These premises being set down and taking into account, with reference to river navigation and coasting trade, that the fiscal laws of the Republic permit foreign vessels to take cargoes or passengers to two or more authorized ("habilitados") ports, or to receive them there, I see that the negotiation is about to terminate satisfactorily.

Upon the understanding, therefore, that we agree as to the points expressed and those which have not been made the subject of any particular remark, I hope that your excellency, according to the closing part of your note, will deign to have prepared and sent to me for examination a formal draught treaty framed on that concluded between Great Britain and Paraguay on the 18th October, 1884, and on the results of the negotiation we have pursued.

In order to facilitate the accomplishment of such a work, I beg leave to inclose a draught treaty elaborated upon the aforesaid bases.

I renew, etc.,

GUZMAN BLANCO.

[Inclosure in No. 81.]

Draught treaty between Great Britain and Venezuela.

The Government of the United States of Venezuela and the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of putting an end to the differences which have arisen respecting the meaning of certain stipulations in the treaty between the Republic of Colombia and Great Britain on the 18th April, 1825, which treaty was adopted and confirmed by the treaty between Venezuela and Great Britain signed on the 29th October, 1834, have appointed as their respective plenipotentiaries, to wit, the Government of the United States of Venezuela,

And the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland,

Who, after having communicated to each other their full powers and found them in good and due form, have agreed upon the following articles:

ARTICLE I.

There shall be perfect peace and sincere friendship between the Republic of the United States of Venezuela and the United Kingdom of Great Britain and Ireland; and between the subjects and citizens of both States, without exception of persons or of places. The high contracting parties shall use their best endeavors that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

The contracting parties agree that, in all matters relating to commerce and navigation, any privilege, favor, or immunity whatever which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended immediately to the subjects or citizens of the other contracting party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most-favored nation.

ARTICLE III.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported from whatsoever place into Venezuela, and the produce and manufactures of, as well as goods coming from, Venezuela, which are imported from whatsoever place into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, reexportation, or transit, shall be treated in the same manner as and in particular shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures and goods, whencesoever arriving, of any third country the most favored in this respect. No other or higher duties shall be levied in Venezuela on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to Venezuela, than may be levied on the like exportation of the like goods to any third country the most favored in this respect.

Neither of the contracting parties shall establish a prohibition of importation, exportation, or transit against the other, which shall not, under like circumstances, be applicable to any third country the most favored in this respect.

In like manner, in all that relates to local dues, customs, formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade, British subjects in Venezuela and Venezuelan citizens in the dominions and possessions of Her Britannic Majesty shall enjoy most-favored-nation treatment.

ARTICLE IV.

British ships and their cargoes shall, in the United States of Venezuela, and Venezuelan vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving and whatsoever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, and harbors of the two countries, pilotage, and generally to all matters connected with navigation.

Every favor or exemption in these respects or any other privilege in matters of navigation, which either of the contracting parties shall grant to a third power, shall be extended immediately to the other party, but it includes neither the internal navigation of rivers nor the coasting trade, nor special arrangements with regard to local trade entered into by Venezuela with neighboring countries with respect to traffic across the land frontier.

The vessels of the two contracting parties shall be at liberty to touch consecutively at two or more ports of the other, open to foreign commerce, for such purposes and under such requirements as have been specified and established by the respective laws.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of the United States of Venezuela, are to be deemed Venezuelan vessels, shall, for the purposes of this treaty, be respectively deemed British or Venezuelan vessels.

ARTICLE V.

The subjects or citizens of each of the contracting parties shall have in the dominions and possessions of the other the same rights as natives, or as subjects or citizens of the most favored nation in regard to patents for inventions, trade-marks, and designs, upon fulfillment of the formalities prescribed by law.

ARTICLE VI.

The subjects or citizens of each of the contracting parties who reside permanently or temporarily in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heir may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher imposts, duty, or charge than is payable by natives of the country. In every case the subjects or citizens of the contracting parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE VII.

The dwellings, manufactories, warehouses, and shops of subjects or citizens of each of the contracting parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for natives of the country.

The subjects or citizens of each of the two contracting parties in the dominions and possessions of the other shall have free access to the courts of justice for the prosecution and defense of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects or citizens, and shall, like them, be at liberty to employ in all cases their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VIII.

The subjects of each of the contracting parties in the dominions and possessions of the other shall be exempted from billeting and from all compulsory military service whatever, whether in the army, navy, or national guard, or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and, finally, from forced loans and military exactions or requisitions of any kind.

ARTICLE IX.

The subjects or citizens of either of the two contracting parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of government in as full and ample a manner as native subjects or citizens.

In like manner the subjects or citizens of each contracting party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

The subjects of Her Britannic Majesty residing within the territories of the Republic of the United States of Venezuela shall be at liberty to exercise in private and in their own dwellings, or within the dwellings or offices of Her Britannic Majesty's consuls or vice-consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation.

ARTICLE X

Each of the contracting parties may appoint consuls-general, consuls, vice-consuls, pro-consuls, and consular agents to reside respectively in towns or ports in the dominions and possessions of the other power. Such consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to consular officers of the most favored nations.

ARTICLE XI.

In the event of any subject or citizen of either of the two contracting parties dying without will or testament in the dominions and possessions of the other contracting party, the consul-general, consul, or vice-consul of the nation to which the deceased may belong, or, in his absence, the representative of such consular officer, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named by the said consul-general, consul, or vice-consul, or his representative.

ARTICLE XII.

The consuls-general, consuls, vice-consuls, and consular agents of each of the contracting parties residing in the dominions and possessions of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIII.

Any ship of war or merchant vessel of either of the contracting parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage, without paying any dues other than such as would be payable in a similar case by a national vessel.

In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the contracting parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Venezuelan consul-general, consul, vice-consul, or consular agent in whose district the wreck or stranding may have taken place, upon their being claimed by him within the period fixed by the laws of the country, and such consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all duties of customs unless cleared for consumption, to which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective consuls-general, consuls, vice-consuls, and consular agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIV.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of the United States of Venezuela, it is agreed that if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two contracting parties, the subjects or citizens of either of the said contracting parties who may be established in the dominions or territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peaceably and commit no offense against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe-keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe-conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XV.

If, as it is to be deprecated, there shall arise between the United States of Venezuela and the United Kingdom of Great Britain and Ireland any differences which can not be adjusted by the usual means of friendly negotiation, the two contracting parties agree to submit the decision of all such differences to the arbitration of a third power, or of several powers, in amity with both, without resorting to war, and that the result of such arbitration shall be binding upon both Governments.

The arbitrating power or powers shall be selected by the two Governments by common consent, failing which each of the parties shall nominate an arbitrating power, and the arbitrators thus appointed shall be requested to select another power to act as umpire.

The procedure of the arbitration shall in each case be determined by the contracting parties, failing which the arbitrating power or powers shall be themselves (entitled to) determine it beforehand.

ARTICLE XVI.

The stipulations of the present treaty shall be applicable to all the colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named; that is to say, except to the Dominion of Canada, Newfoundland, New South Wales, Victoria, South Australia, Western Australia, Tasmania, Queensland, New Zealand, the Cape, Natal.

Provided always that the stipulations of the present treaty shall be made applicable to any of the above-named colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's representatives in the United States of Venezuela to the Venezuelan minister for foreign affairs within two years from the date of the exchange of ratifications of the present treaty.

ARTICLE XVII.

The present treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications, and in case neither of the two contracting parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present treaty, it shall remain in force until the expiration of one year from the day on which either of the contracting parties shall have given such notice.

ARTICLE XVIII.

The present treaty shall be ratified by His Excellency the President of the Republic of Venezuela and by Her Majesty the Queen of Great Britain and Ireland, and the ratifications shall be exchanged in London as soon possible.

128 BOUNDARIES OF BRITISH GUIANA AND VENEZUELA.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done in London on the _____ day of _____ in the year of our Lord _____

No. 32.

Earl Granville to General Gusman Blanco.

FOREIGN OFFICE, June 18, 1885.

M. LE MINISTRE: I have the honor to acknowledge the receipt of your note of the 8th instant, forwarding the draught of a new treaty of friendship, commerce, and navigation between Great Britain and Venezuela, to replace the treaties of 1825 and 1834, founded on the text of the treaty recently concluded between Great Britain and Paraguay, and on correspondence which has passed between us.

I have the honor to submit, for your consideration, copies of this document in print in order to avoid any misapprehension; and I beg to offer the following observation with respect to them: The words inserted in *italics* in Articles II, VI, and XVIII appear to have been inadvertently omitted in the copy inclosed in your note. The clause in *italics* at the end of Article XV would seem to render that article more explicit, and to be useful for this purpose. India should be included in the list of British colonies and foreign possessions in Article XVI. It was omitted in the text of the treaty with Paraguay as signed, but this error has been rectified in the exchange of ratifications.

I trust that the text of the proposed treaty as printed, with the several corrections now specified, will meet with your concurrence, and that you will be so good as to signify your consent to them at your earliest convenience in order that the draught of the proposed treaty may be referred to the departments of Her Majesty's Government concerned.

I am, etc.,

GRANVILLE.

[Inclosure in No. 32.]

Draught treaty between Great Britain and Venezuela. (Communicated by Gusman Blanco, June 8, 1885.)

The Government of the United States of Venezuela and the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland being desirous of putting an end to the differences which have arisen respecting the meaning of certain stipulations in the treaty between the Republic of Colombia and Great Britain of the 18th of April, 1825, which treaty was adopted and confirmed by the treaty between Venezuela and Great Britain, signed on the 29th October, 1834, have appointed as their respective plenipotentiaries, to wit:

The Government of the United States of Venezuela.

And the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

Who, after having communicated to each other their full powers, and found them in good and due form, have agreed upon the following articles:

ARTICLE I.

There shall be perfect peace and sincere friendship between the Republic of the United States of Venezuela and the United Kingdom of Great Britain and Ireland, and between the subjects and citizens of both States, without exception of persons or of places. The high contracting parties shall use their best endeavors that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

The contracting parties agree that in all matters relating to commerce and navigation any privilege, favor, or immunity whatever, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other contracting party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favored nation.

ARTICLE III.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported from whatsoever place into Venezuela, and the produce and manufactures of, as well as goods coming from, Venezuela, which are imported from whatsoever place into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, reexportation, or transit, shall be treated in the same manner as, and in particular shall be subjected to no higher duties, whether general, municipal, or local, than the produce, manufactures, and goods whencesoever arriving, of any third country the most favored in this respect. No other or higher duties shall be levied in Venezuela on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty, on the exportation of any goods to Venezuela, than may be levied on the exportation of the like goods to any third country the most favored in this respect.

Neither of the contracting parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favored in this respect.

In like manner, in all that relates to local dues, customs, formalities, brokerage, patterns or samples introduced by commercial travelers, and all other matters connected with trade, British subjects in Venezuela and Venezuelan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favored-nation treatment.

ARTICLE IV.

British ships and their cargoes shall, in the United States of Venezuela, and Venezuelan vessels and their cargoes shall, in the dominions and possessions of her Britannic Majesty, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

The preceding stipulation applies to local treatment, dues and charges in the ports, basins, docks, roadsteads, and harbors of the two countries, pilotage, and generally to all matters connected with navigation.

Every favor or exemption in these respects, or any other privilege in matters of navigation which either of the contracting parties shall grant to a third power, shall be extended immediately to the other party; but it includes neither the internal navigation of rivers, nor the coasting trade, nor special arrangements with regard to local trade entered into by Venezuela with neighboring countries with respect to traffic across the land frontier.

The vessels of the two contracting parties shall be at liberty to touch consecutively at two or more ports of the other, open to foreign commerce, for such purposes and under such requirements as have been specified and established by the respective laws.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of the United States of Venezuela, are to be deemed Venezuelan vessels, shall, for the purposes of this treaty, be respectively deemed British and Venezuelan vessels.

ARTICLE V.

The subjects or citizens of each of the contracting parties shall have in the dominions and possessions of the other the same rights as natives, or as subjects or citizens of the most favored nation, in regard to patents for inventions, trade-marks, and designs, upon fulfillment of the formalities prescribed by law.

ARTICLE VI.

The subjects or citizens of each of the contracting parties who reside permanently or temporarily in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country. In every case the subjects or citizens of the contracting parties shall be permitted to export

their property, or the proceeds thereof, if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE VII.

The dwellings, manufactories, warehouses, and shops of subjects or citizens of each of the contracting parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises or to examine or inspect books, papers, or accounts except under the conditions and with forms prescribed by the laws for natives of the country.

The subjects or citizens of each of the two contracting parties in the dominions and possessions of the other shall have free access to the courts of justice for the prosecution and defense of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects or citizens, and shall, like them, be at liberty to employ in all causes their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VIII.

The subjects of each of the contracting parties in the dominions and possessions of the other shall be exempted from billeting and from all compulsory military service whatever, whether in the army, navy, national guard, or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and finally from forced loans and military exactions or requisitions of any kind.

ARTICLE IX.

The subjects or citizens of either of the two contracting parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties the protection of the Government in as full and ample a manner as native subjects or citizens.

In like manner the subjects or citizens of each contracting party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

The subjects of Her Britannic Majesty residing within the territories of the Republic of the United States of Venezuela shall be at liberty to exercise in private and in their own dwellings, or within the dwellings or offices of Her Britannic Majesty's consuls or vice-consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and assemble therein for that purpose without hindrance or molestation.

ARTICLE X.

Each of the contracting parties may appoint consuls-general, vice-consuls, pro-consuls, and consular agents to reside respectively in towns or ports in the dominions and possessions of the other power. Such consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to consular officers of the most favored nations.

ARTICLE XI.

In the event of any subject or citizen of either of the two contracting parties dying without will or testament in the dominions and possessions of the other contracting party, the consul-general, consul, or vice-consul of the nation to which the deceased may belong, or in his absence the representative of such consular officer, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named by the said consul-general, consul, or vice-consul, or his representative.

ARTICLE XII.

The consuls-general, consuls, vice-consuls, and consular agents of each of the contracting parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIII.

Any ship of war or merchant vessel of either of the contracting parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage without paying any dues other than such as would be payable in a similar case by a national vessel.

In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the contracting parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Venezuelan consul-general, consul, vice-consul, or consular agent in whose district the wreck or stranding may have taken place upon their being claimed by him within the period fixed by the laws of the country; and such consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all duties of customs unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective consuls-general, vice-consuls, and consular agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIV.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of the United States of Venezuela, it is agreed that if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two contracting parties, the subjects or citizens of either of the other said contracting parties who may be established in the dominions or territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peaceably and commit no offense against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe-keeping of their goods, property, effects, or to dispose of them and to liquidate their accounts; and a safe-conduct shall be given them to embark at the port which they shall themselves select.

ARTICLE XV.

If, as it is to be deprecated, there shall arise between the United States of Venezuela and the United Kingdom of Great Britain and Ireland any difference which can not be adjusted by the usual means of friendly negotiation, the two contracting parties agree to submit the decision of all such differences to the arbitration of a third power, or of several powers in amity with both, without resorting to war, and that the result of such arbitration shall be binding upon both Governments.

The arbitrating power or powers shall be selected by the two Governments by common consent, failing which each of the parties shall nominate an arbitrating power, and the arbitrators thus appointed shall be requested to select another power to act as umpire.

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The procedure of the arbitration shall in each case be determined by the contracting parties, failing which the arbitrating power or powers shall be themselves [entitled to] determine it beforehand.

The award of the arbitrators shall be carried out as speedily as possible in cases where such award does not specifically lay down a date.

ARTICLE XVI.

The stipulations of the present treaty shall be applicable to all the colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named; that is to say, except to the Dominion of Canada, Newfoundland, New South Wales, Victoria, South Australia, Western Australia, Tasmania, Queensland, New Zealand, the Cape, Natal, India.

Provided always, that the stipulations of the present treaty shall be made applicable to any of the above-named colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's representative in the United States of Venezuela to the Venezuelan minister of foreign affairs within two years from the date of the present treaty.

ARTICLE XVII.

The present treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two contracting parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present treaty, shall remain in force until the expiration of one year from the day on which either of the contracting parties shall have given such notice.

ARTICLE XVIII.

The present treaty shall be ratified by his excellency the President of the Republic of the United States of Venezuela, and by Her Majesty the Queen of Great Britain and Ireland, and the ratifications shall be exchanged in London as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done in London on the — day of —, in the year of our Lord —.

No. 33.

General Guzman Blanco to Earl Granville.

[Translation.]

194 QUEEN'S GATE, LONDON, *June 22, 1885.* (Received June 25.)

MY LORD: I have had the honor of receiving your excellency's dispatch of the 18th, accompanying a copy in print of a draft treaty of friendship, commerce, and navigation between the United States of Venezuela and Great Britain, with certain corrections to which your excellency asks me to express my consent, in order to avoid any misapprehensions.

I proceed accordingly to reply that I see no objection to adding to Article VI "every description of;" to Article XV "the award of the arbitrators shall be carried out as speedily as possible in cases where such award does not specifically lay down a date;" and to Article XVI "India;" and to Article XVIII "of the United States of."

But I am not allowed to retain in Article II the words "and unconditionally," which I omitted on purpose for reasons explained in the correspondence.

On the contrary, I must ask for the reinsertion of the following words of my Article XVII, "which, from the date of the exchange of its ratifications, shall be substituted for the one concluded between Colombia and Great Britain on the 18th April, 1825, and renewed with Venezuela on the 29th October, 1834." I consider the reestablishment of that incident clause to be essential, for, if left out, a doubt at least would remain as to the repeal of the old treaty, notwithstanding the differences between the same and the draft referred to.

The two preceding suggestions being admitted, the conclusion of the treaty may be proceeded with.

I remain, etc.,

GUZMAN BLANCO.

No. 34.

General Guzman Blanco to Sir J. Pouncefote.

(Received July 23.)

The Venezuelan minister presents his compliments to Sir Julian Pouncefote, and with reference to the remarks made yesterday by the latter as to the draft treaty between the two countries, has the honor to reply that Lord Granville, the secretary of state for foreign affairs, in a note of the 15th of May, 1885, wrote to this legation as follows:

"In reply, I have the honor to inform you that Her Majesty's Government agree to the substitution of the phrase 'power' to be chosen by the high contracting parties instead of 'arbitrators' in the article respecting 'arbitration;' and that they further agree that the undertaking to refer differences to arbitration shall include all differences which may arise between the high contracting parties, and not those only which arise on the interpretation of the treaty."

Let it be permitted to remember the words of Lord Salisbury, the present prime minister, and Her British Majesty's principal secretary of state for foreign affairs, in stating before the House of Lords on the 6th instant the policy of his Government:

"It is not our business now to enter on controversial questions which may formerly have been raised. And still more, your lordships will observe the very material restriction on our action and on our statements which arises from the fact that we have come into these matters right in the middle of them, and we are finishing, or furnishing the end of that which others have begun. The consequence of that is, that many pledges have been given, and the first duty of any government, whether it is fresh or has lasted for a considerable time, or from whatever side of the house or party it is drawn, is to see that the pledges which the English Government have given shall be observed."

Her Majesty's Government have adopted on several occasions, for questions about territory, as the happiest solution of them, arbitration with the United States in 1827 and 1871, by treaties in which two territorial disputes were referred respectively to the King of the Netherlands and to the Emperor of Germany. The judgment of the former produced no effect, the arbitrator not having conformed to the terms of the compromise, and the parties settled afterwards the difficulty in 1842 by friendly agreement. The award of the latter was pronounced on the 21st April, 1872, and accepted and acted upon by the two nations concerned. In the second case, the memorial presented by the American plenipotentiary, George Bancroft, says:

"Six times the United States had received the offer of arbitration on their north-western boundary, and six times had refused to refer a point where the importance was so great and the right so clear."

In regard to the other point mentioned by Sir Julian, Gen. Guzman Blanco repeats that he has proposed, as to the most-favored-nation clause, to suppress the word "unconditionally" only, for a new country like Venezuela needs to remain able to make particular concessions in exchange for those from other powers, as a means of obtaining the advantages required by her natural aspirations for progress, and which she could not acquire unless by paying equivalents.

194 QUEEN'S GATE, LONDON, *July 22, 1885.*

No. 35.

*The Marquis of Salisbury to General Guzman Blanco.*FOREIGN OFFICE, *July 27, 1885.*

M. LE MINISTRE: I have the honor to state that Her Majesty's Government have given their earnest consideration to the draft treaty of friendship, commerce, and navigation, the terms of which were in process of negotiation at the time of their accession to office; they have also had under their consideration the note which you were so good as to address to Earl Granville on the 22d ultimo.

I regret to have to inform you that Her Majesty's Government can not meet your wishes with regard to the omission of the word "unconditionally" in the most-favored-nation clauses. They hold that those clauses have the same meaning, whether that word be inserted or not; but the present correspondence shows that the Venezuelan Government think otherwise and are of opinion that without it it would be competent for Venezuela to withhold from Great Britain any concession granted by the Republic to any third power in consideration of some favor or concession received from it, unless Great Britain were to grant the like favor or concession to Venezuela. In his note of the 15th April, Earl Granville explained that it might

not be in the power of Her Majesty's Government to grant the favor or concession granted by the third power, and, considering the freedom of trade and the total absence of differential duties in this country, Her Majesty's Government consider that they are entitled to claim most-favored-nation treatment from Venezuela. They are prepared, however, to consider whether it would be possible to consent to the exclusion from the most-favored-nation articles of any particular favor which the Venezuelan Government might propose to accept, as it may be found that they consist of local privileges of importance only to the States contiguous to Venezuela. Such exceptions would not materially interfere with the general principle of most-favored-nation treatment from which Her Majesty's Government are unwilling to derogate.

Her Majesty's Government are unable to concur in the assent given by their predecessors in office to the general arbitration article proposed by Venezuela, and they are unable to agree to the inclusion in it of matter other than those arising out of the interpretation or alleged violation of this particular treaty. To engage to refer to arbitration all disputes and controversies whatsoever would be without precedent in the treaties made by Great Britain. Questions might arise, such as those involving the title of the British Crown to territory or other sovereign rights which Her Majesty's Government could not pledge themselves beforehand to refer to arbitration.

I have the honor to inclose a printed copy of the treaty with the amendments considered to be essential by Her Majesty's Government.

You will observe that some other but minor alterations have been made, but these are mostly matters of form, and call for no particular remark.

I have, etc.,

SALISBURY.

[Inclosure No. 35.]

Draft Treaty between Great Britain and Venezuela.

The President of the United States of Venezuela and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, being desirous of concluding a treaty of friendship, commerce, and navigation, to be substituted for the treaty between the Republic of Colombia and Great Britain of the 18th April, 1825, which treaty was adopted and confirmed by the treaty between Venezuela and Great Britain, signed on the 29th of October, 1834, have appointed as their respective plenipotentiaries for that purpose, namely:

The President of the United States of Venezuela.

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India.

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

There shall be perfect peace and sincere friendship between the United States of Venezuela and the United Kingdom of Great Britain and Ireland, and between the subjects and citizens of both States, without exception of persons or of places. The high contracting parties shall use their best endeavors that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

The contracting parties agree that in all matters relating to commerce and navigation any privilege, favor, or immunity whatever, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other contracting party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favored nation.

ARTICLE III.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported from whatsoever place into Venezuela, and manufactures, as well as goods, coming from Venezuela, which are imported from whatsoever place into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, reexportation, or

transit, shall be treated in the same manner as, and in particular shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods whencesoever arriving, of any third country the most favored in this respect. No other or higher duties shall be levied in Venezuela on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty, on the exportation of any goods to Venezuela than may be levied on the exportation of the like goods to any third country the most favored in this respect.

Neither of the contracting parties shall establish a prohibition of importation, exportation, or transit against the other which shall not under like circumstances be applicable to any third country the most favored in this respect.

In like manner, in all that relates to local dues, customs, formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade, British subjects in Venezuela, and Venezuelan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favored-nation treatment.

ARTICLE IV.

British ships and their cargoes shall, in the United States of Venezuela, and Venezuelan vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbors, and rivers of the two countries, pilotage, and generally to all matters connected with navigation.

Every favor or exemption in these respects, or any other privilege in matters of navigation, which either of the contracting parties shall grant to a third power, shall be extended immediately to the other party; but it includes neither the internal navigation of rivers nor the coasting trade, nor special arrangements with regard to local trade entered into by Venezuela with neighboring countries with respect to traffic across the land frontier.

The vessels of the two contracting parties shall be at liberty to touch consecutively at two or more ports of the other, open to foreign commerce, for such purposes and under such requirements as have been specified and established by the respective laws.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of the United States of Venezuela, are to be deemed Venezuelan vessels, shall, for the purposes of this treaty, be respectively deemed British or Venezuelan vessels.

ARTICLE V.

The subjects or citizens of each of the contracting parties shall have, in the dominions and possessions of the other, the same rights as natives or as subjects of the most favored nation, in regard to patents for inventions, trade-marks, and designs, upon fulfillment of the formalities prescribed by law.

ARTICLE VI.

The subjects or citizens of each of the contracting parties who reside permanently or temporarily in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country. In every case the subjects or citizens of the contracting parties shall be permitted to export their property, or the proceeds thereof, if sold, freely and without being subjected on such importation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE VII.

The dwellings, manufactories, warehouses, and shops of subjects or citizens of each of the contracting parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for natives of the country.

The subjects or citizens of each of the two contracting parties in the dominions and possessions of the other shall have free access to the courts of justice for the prosecution and defense of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects or citizens, and shall, like them, be at liberty to employ in all causes their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VIII.

The subjects of the contracting parties in the dominions and possessions of the other shall be exempt from billeting and from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and, finally, from forced loans and military exactions or requisitions of any kind.

ARTICLE IX.

The subjects or citizens of either of the two contracting parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as native subjects or citizens.

In like manner the subjects or citizens of each contracting party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

The subjects of Her Britannic Majesty residing within the territories of the Republic of the United States of Venezuela shall be at liberty to exercise in private and in their own dwellings, or within the dwellings in offices of Her Britannic Majesty's consuls or vice-consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation.

ARTICLE X.

Each of the contracting parties may appoint consuls-general, consuls, vice-consuls, proconsuls, and consular agents to reside respectively in towns or ports in the dominions and possessions of the other power. Such consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions and enjoy whatever privileges, exemptions, and immunities as are, or may hereafter be, granted there to consular officers of the most favored nation.

ARTICLE XI.

In the event of any subject or citizen of either of the two contracting parties dying without will or testament in the dominions and possessions of the other contracting party, the consul-general, consul, or vice-consul of the nation to which the deceased may belong, or, in his absence, the representative of such consular officer, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named by the said consul-general, consul, or vice-consul or his representative.

ARTICLE XII.

The consuls-general, consuls, vice-consuls, and consular agents of each of the contracting parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIII.

Any ship of war or merchant vessel of either of the contracting parties which may be compelled by stress of weather or by accident to take shelter in a port of the other shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage without paying any dues other than such as would be payable in a similar case by a national vessel.

In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the contracting parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such agents on the spot, then the same shall be delivered to the British or Venezuelan consul-general, consul, vice-consul, or consular agent in whose district the wreck or stranding may have taken place upon their being claimed by him within the period fixed by the laws of the country, and such consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all duties of customs unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective consuls-general, consuls, vice-consuls, and consular agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIV.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of the United States of Venezuela, it is agreed that if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two contracting parties, the subjects or citizens of either of the said contracting parties who may be established in the dominions or territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peacefully and commit no offense against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe-keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe conduct shall be given them to embark at the port which they shall themselves select.

ARTICLE XV.

If, as it is to be deprecated, there shall arise between the United States of Venezuela and Great Britain any controversies respecting the interpretation or the execution of the present treaty, or the consequence of any violation thereof, the two contracting parties agree to submit the decision of all such differences to the arbitration of a third power, or of several powers in amity with both, and that the result of such arbitration shall be binding upon both Governments.

The arbitrating power or powers shall be selected by the two Governments by common consent, failing which each of the parties shall nominate an arbitrating power, and the arbitrators thus appointed shall be requested to select another power to act as umpire.

The procedure of the arbitration shall in each case be determined by the contracting parties, failing which the arbitrating power or powers shall be themselves entitled to determine it beforehand.

The award of the arbitrators shall be carried out as speedily as possible in cases where such award does not specifically lay down a date.

ARTICLE XVI.

The stipulation of the present treaty shall be applicable to all the colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named—that is to say, except to India, The Dominion of Canada, Newfoundland, New South Wales, Victoria, South Australia, Western Australia, Tasmania, Queensland, New Zealand, The Cape, Natal.

Provided always, that the stipulations for the present treaty shall be made applicable to any of the above-named colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's representative in the United States of Venezuela to the Venezuelan minister for foreign affairs within two years from the date of the exchange of ratifications of the present treaty.

ARTICLE XVII.

The present treaty, which from the date of the exchange of its ratification shall be substituted for that concluded between Colombia and Great Britain on the 18th April, 1825, and adopted and confirmed with Venezuela on the 29th October, 1834, shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two contracting parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present treaty, it shall remain in force until the expiration of one year from the day on which either of the contracting parties shall have given such notice.

ARTICLE XVIII.

The present treaty shall be ratified by His Excellency the President of the United States of Venezuela and by Her Britannic Majesty, and the ratifications shall be exchanged in London as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done in London on the — day of —, in the year of our Lord —.

No. 36.

General Guzman Blanco to the Marquis of Salisbury.

[Translation.]

PARIS, August 5, 1885. (Received August 13.)

MY LORD: I have had the honor to receive your lordship's favor of the 27th July respecting the negotiation of a treaty of friendship between the two countries with a modified draft.

In the first place, your lordship informs me that the Government of Her Majesty can not accede to my wish that the word "unconditionally" should be expunged from the most-favored-nation clauses, since, even though without it they would have the same sense as with it, it appears from the same correspondence that the Government of Venezuela considers that by omitting this expression it could refuse to Great Britain concessions which it might make to another power in return for an equivalent which Great Britain should refuse.

In the second place, your lordship withdraws the arbitration clause applicable to all disputes arising between the two parties which had been settled with the previous Administration and restricts it to those originated by the treaty alone, on the score of want of precedents and the possibility that questions might be presented involving the title of the British Crown to territory and other sovereign rights, which the Government could not bind itself by anticipation to refer to arbitration.

With respect to the word "unconditionally," my instructions direct me not to admit it on account of the impossibility in which it would place Venezuela, of granting particular advantages to other States in exchange for others which it should receive from them whether they were neighboring States or not.

With respect to arbitration, it appears to me that the new cabinet could not by itself alone repeal the article to which its predecessor had given formal assent and thereby placed it beyond its competence, and still less so after your lordship's declaration in the House of Lords that the engagements of the previous Government would be respected. I should be pained to think that this declaration did not include Venezuela.

I think that boundary questions are of the number of those which it is most expedient to submit to the award of an impartial third party. As is shown in practice, other nations are also of this opinion; and that the same view is also shared by Great Britain I think may be inferred from her action during 1829 and during 1872, in agreeing to submit two controversies respecting territory to the decision of the King of Holland and of the Emperor of Germany, respectively. In the last case it proposed the arbitration no less than six times to the United States, as they allege, and it was only the seventh time that they accepted this means of deciding whether or not the line should pass by the Haro Canal. It appears from the correspondence of the Venezuelan plenipotentiary, Senor Fortique, that the same proposal was made to him orally for the termination of the dispute respecting Guiana.

In fine, arbitration, in addition to having been employed on various occasions by Great Britain, has been so favorably entertained in her Parliament and by her statesmen and in the public opinion of the United Kingdom that its general adoption could not fail to merit applause. Moreover, I proceeded in this matter conformably with the constitution of Venezuela, which requires the Executive to stipulate for arbitration in comprehensive terms and without any restriction.

I renew, etc.,

GUZMAN BLANCO.

No. 37.

The Marquis of Salisbury to General Guzman Blanco.

FOREIGN OFFICE, October 3, 1885.

M. LE MINISTRE: Her Majesty's Government have had under their consideration the observations which you did me the honor to make to me in your note of the 5th August, respecting the proposed treaty between Venezuela and Great Britain. They regret that your instructions do not permit you to agree to the article granting to this country most-favored-nation treatment in Venezuela in exchange for the same treatment already conceded to the latter by Her Majesty's Government, or to the limited form of arbitration article. Under these circumstances I would ask you, M. le Ministre, to be so good as to refer the points on which differences have arisen to the Government of the Republic, as Her Majesty's Government can not but hope that a perusal of the correspondence which I have had the honor to exchange with you on this subject will convince them of the justice and reasonableness of the opinions held by Her Majesty's Government and thus lead to a modification of your instructions in a sense that will permit of the conclusion of a treaty containing the stipulations which Her Majesty's Government desire and which are those now usually adopted.

I have, etc.,

SALISBURY.

No. 38.

General Guzman Blanco to the Marquis of Salisbury.

[Translation.]

ZURICH, October 12, 1885. (Received October 20.)

MY LORD: I have had the honor to receive your excellency's note of the 3d instant, asking me to submit to my Government the points of disagreement in the negotiations for a treaty, in the hope that that Government might modify my instructions in such a sense as would permit me to agree to the most-favored-nation article and to the limited arbitration article, as desired by the Government of Her Britannic Majesty.

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As it is now more than a month since I submitted to the decision of my Government, all that your excellency says in regard to the treaty we are discussing, I expect every moment a clear and decisive answer, which will be my definite instructions.

As soon as I receive these instructions I shall write a note to your excellency in the sense they indicate.

I have, etc.,

GUZMAN BLANCO.

[Inclosure in No. 38.]

General Guzman Blanco to Lord Granville.

No. 199.]

VENEZUELAN LEGATION IN LONDON,
194 Queen's Gate, London, June 8, 1885.

MY LORD: I have with much satisfaction received your excellency's dispatch of the 15th ultimo, by which your excellency is pleased to inform me that Her Majesty's Government agree to the substitution of the phrase "power" to be chosen by the high contracting parties, instead of "arbitrators," in the article respecting arbitration, and that they further agree that the undertaking to refer differences to arbitration shall include all differences which may arise between the high contracting parties, and not those only which arise on the interpretation of the treaty.

Your excellency adds that Her Majesty's Government are also prepared to meet generally the wishes of the Venezuelan Government as to "river navigation" and coasting trade as connected with it; but on the understanding that this exception to most favored nation or national treatment should not interfere with ocean-going steamers touching consecutively at two or more ports of the Republic.

Your excellency states at last that Her Majesty's Government will agree that the provisions of the most-favored-nation article proposed by them shall not include special arrangements entered into by Venezuela with neighboring countries in respect to traffic across the land frontier.

These premises being set down, and taking into account, with reference to river navigation coasting trade, that the fiscal laws of the Republic permit foreign vessels to take cargoes or passengers to two or more authorized (*habilitados*) ports, or to receive them there, I see that the negotiation is about to terminate satisfactorily.

In the understanding, therefore, that we agree as to the points expressed and those which have not been made the subject of any particular remark, I hope that your excellency, according to the closing part of your note, will deign to have prepared and sent me for examination of formal draft treaty framed on that concluded between Great Britain and Paraguay on the 18th of October, 1884, and on the results of the negotiation we have pursued.

In order to facilitate the accomplishment of such a task, I beg leave to inclose a draft treaty elaborated upon the aforesaid bases.

I renew to your excellency the assurances of my highest consideration.

GUZMAN BLANCO.

To His Excellency Lord GRANVILLE,
Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, etc.

No. 39.

General Guzman Blanco to the Marquis of Salisbury.

[Trans'ation.]

No. 407.]

LEGATION OF VENEZUELA IN LONDON,
Paris, December 17, 1885.

MY LORD: As I had the honor of making known to your excellency, I submitted to the Government of the Republic a copy of the correspondence I have carried on with your department in respect to the negotiation of the treaty of friendship, commerce, and navigation between the two countries as the fittest means of solving the pending difficulties.

I have just received the answer of the minister for foreign affairs. By it the President of the Republic has been pleased to confirm the original instructions acted upon by me and has, moreover, fully approved the communications I have addressed your excellency.

Under these circumstances I can not but insist upon the most-favored-nation clause, with the condition that, in order to enjoy the privileges granted to a third power, the same compensation in exchange for which they were given is to be made.

In regard to the arbitration clause as applicable to every difference, I once more invoke the arguments before alleged and which enforce the conviction that it is a right acquired by Venezuela, since it having been preferred on her part and agreed upon on the part of Her Britannic Majesty, their mutual consent has originated an obligation from which it is not lawful for any of the contracting parties to withdraw by her single will. I beg to make use of your own words in a speech delivered at Brighton on the 15th of October, before a numerous audience—that is, before the tribunal of public opinion:

"After the fashion of some preachers, as his charges are somewhat numerous, I will venture to divide them into two heads, and the first head is, those that are not true. The second head of those charges is, those that are founded on the monstrous assumption that it is our duty to break the promises of our predecessor as soon as we get into office. * * *

"Now he (Mr. Chamberlain) has other charges. He says the financial agreement with Egypt, which we condemned as muddled and inadequate, has been carried out. Well, it was muddled and inadequate [cheers]. I expressed that opinion in opposition, and all that I have learnt in office has only confirmed me in that view [cheers]. But, unfortunately, it was an agreement to which England has set her hand, and Mr. Chamberlain's intention, as I understand it, is that we ought to have torn up the agreement to which England has set her hand because our adversaries were in office at the time. I do not like to say what name would be applied to such a proceeding in private life. What would you think of a man who, through his agent, had come to a certain agreement, and, when the agent went away and another agent came, said, 'I have changed my agent, and therefore I shall treat the agreement as having never taken place' [cheers]? There is no term of contempt and opprobrium which you think too strong for such a man [hear, hear]. Yet that is the standard of morality according to which Mr. Chamberlain desires that the affairs of England should be conducted [hear, hear]. We do not approve of the principles of the Egyptian loan, but we approve still less of any action that is false to the pledged faith of England, and if Mr. Chamberlain says that at any time in our career in opposition we have maintained the doctrine that you may disregard the pledged faith of England because pledged by your opponents, I must again repeat the word, that is not true [hear, hear]. And so in regard to their Afghan boundary. Mr. Chamberlain says that we did not approve of the Afghan boundary when in opposition. No; we did not approve of it then, and were we tied by no engagements we should not approve of it now. But we found certain engagements in existence, and these we loyally carried out.

"Then I see that both Mr. Chamberlain and Sir Charles Dilke talk of Zanzibar. I am tempted to believe that Lord Granville never informed them of what was going on in the foreign office [laughter], because the same state of the case exists absolutely there. While the late Government were in office the Emperor of Germany announced to them that he had taken certain territories in Africa under his protection. Lord Granville not only expressed no objection, but said that he was perfectly willing to welcome the German efforts of colonization, and he proposed that a joint commission should be appointed to determine what were the true limits of the Sultanate of Zanzibar. That is precisely what we have carried out, and we have done nothing else. We have carried out the agreement which Lord Granville made during his time. The German Government informed him that a certain protest had been made by the Sultan of Zanzibar, and it would insist on its being withdrawn. That announcement was received with no objection by Lord Granville, and accordingly the German Government has insisted on that protest being withdrawn; but we have, in adherence to the principle that the pledges of one Government must be completely and loyally carried out by its successors, simply carried out that to which our predecessors pledged the country, and we have done absolutely nothing else."

This legation, then, asks respectfully only the application to Venezuela of those principles maintained by your excellency with so much dignity and nobleness.

I renew to your excellency the assurances of my most distinguished consideration.

GUZMAN BLANCO.

To His Excellency the MARQUIS OF SALISBURY,
H. B. M. Principal Secretary for Foreign Affairs.

No. 40.

Draft of agreement.

ARTICLE I.

The Government of Venezuela engages at once to proceed to the liquidation of the following claims of British subjects:

1st. Those claims which have been recognized by an exchange of notes between the Ministry of Foreign Affairs of Venezuela and Her Britannic Majesty's legation at Caracas on the 15th October, 1885; and

2d. Those claims which were decided upon by the Mixed Commission established under the convention of the 21st September, 1868, between Great Britain and Venezuela.

The validity of these two classes of claims was admitted by decrees of the Venezuelan legislature dated the 14th June, 1873, and the 23d May, 1876.

This stipulation, however, is without prejudice to any other claims which British subjects may have against the Venezuelan Government, but which have not been investigated, and the validity of which is not to be considered to be admitted or denied by the conclusion of the present agreement.

ARTICLE II.

The balance of the claims specified in paragraphs 1 and 2 of the preceding article which yet remains unpaid, with simple interest at 3 per cent, calculated to the 30th June, 1885, has been ascertained to amount to \$544,398.94, the dollar being calculated at 3s. 3d. English money.

ARTICLE III.

The Government of Venezuela engages immediately to issue bonds to bearer to the amount specified in the preceding article.

The said bonds shall bear interest at the rate of 3 per cent per annum from the 1st July, 1885, and each bond shall have twenty coupons attached thereto.

Each coupon shall represent six months' interest, and the first coupon shall be payable on the 1st January, 1886.

In the event of the coupons of any bond being exhausted, additional coupons shall be issued by and at the cost of the Government of Venezuela to the then holder of the bond.

The said bonds shall before (a date to be fixed) be delivered to the British legation at Caracas in order that they may be handed over to the claimants.

ARTICLE IV.

It is agreed that for the payment of the interest on the said bonds and for the formation of a sinking fund as provided in Article V there shall be assigned such a portion of the proceeds of the 13 per cent of the 40 unities of the customs revenue of Venezuela, according to the law of the 30th November, 1872, as shall belong, proportionately, to the British claims specified in Articles I and II of the present agreement.

This proportional sum shall be paid in cash half-yearly to Her Britannic Majesty's legation at Caracas; and the amount of such half-yearly payments shall on no account be reduced until all the claims are satisfied.

ARTICLE V.

The surplus of the amount so paid to Her Britannic Majesty's legation which shall remain after the payment of the interest due upon the bonds shall be applied to the redemption of the bonds by means of half-yearly drawings at par.

The drawings shall be conducted in the presence of Her Britannic Majesty's representative at Caracas by a notary public to be selected by the said representative of Her Britannic Majesty.

The cost of advertising the numbers of the drawn bonds and the fees of the said notary public shall be paid out of the sinking fund.

ARTICLE VI.

It is agreed that in the event of failure in the execution of the payments, as stipulated in the present agreement, Her Britannic Majesty's Government may immediately revert to the arrangements in regard to the liquidation of the said British claims

which were in force before the signature of the present agreement, that is to say, that the said claims shall be paid in cash out of the 13 per cent referred to in Article IV of the present agreement pro rata by monthly installments until they are entirely liquidated.

No. 41.

Draft of agreement about the British claims sent to Sir Julian Pauncefote on the 7th July, 1885.

ARTICLE I.

(The same of the English draft minus the last paragraph.)

ARTICLE II.

The Government of Venezuela engages immediately to issue bonds to bearer to the amount ascertained to be due as the result of the liquidation agreed upon in article first.

The said bonds shall bear interest at the rate of 3 per cent per annum from the 1st January, 1885, and each bond shall have twenty coupons attached thereto.

Each coupon shall represent six months' interest, and the first coupon shall be payable on the 1st July, 1886.

In the event of the coupons of any bond being exhausted, additional coupons shall be issued by and at the cost of the Government of Venezuela to the then holder of the bond.

The said bonds shall be issued before December next, when they may be handed over to the claimants.

ARTICLE III.

The interest on the bonds shall be paid to the holders thereof by the British legation at Caracas, which is to send to the Venezuelan minister of public credit the paid detached coupons.

ARTICLE IV.

(The same of the English text.)

ARTICLE V.

The surplus of the amount so paid to Her Britannic Majesty's legation which shall remain after the payment of the interest due upon the bonds shall be applied to the redemption of the bonds by means of half-yearly repurchases according to the Venezuelan law, and to the form of bond herein inserted. The board of public credit shall transmit a copy of the record of its proceeding to the said legation, in order that the latter may pay out of the money in its possession the tenders accepted, and return to said board the bonds redeemed.

ARTICLE VI.

(The same of the English text.)

Gen. Guzman Blanco presents his compliments to Sir Julian Pauncefote, and, referring to their interview on Saturday last, has the honor to accompany a draft settlement of the British claims upon Venezuela in substitution for the one formulated by Lord Granville and the difficulties of which this legation stated in its note of June 15.

Gen. Guzman Blanco avails himself of this occasion to repeat that the Venezuelan Government has never agreed to pay any interest, on the ground that none was stipulated for on the recognition of the claims; that the bonds shall certainly bear an interest from the date of their issue; the bondholders will assign to them for their sale and at their will such a price as may suit them, and that if they do not wish to sell them, the surplus shall go on accumulating every six months until they grow sufficient to redeem the claims at par.

194 QUEEN'S GATE, LONDON, July 7, 1885.

No. 42.

General Guzman Blanco to Sir Julian Pauncefote.

After presenting his polite compliments to Sir Julian Pauncefote, General Guzman Blanco has the honor of stating to him that he has read the copies of Doctor Viso's dispatch to Mr. Bunch, of May 17, 1880, and of two of its inclosures delivered to him yesterday.

It results therefrom that this legation has so often affirmed, viz, that Venezuela has never agreed to pay any interest on the British claims and that Congress fixed a rate of 3 per cent, under the condition that the emission of the diplomatic bonds should be accepted.

The calculating of the interest from the 29th of May, 1876, the date of the law granting it, from the emission of the bonds, was a concession initiated with the hope of securing the acceptance of the arrangement, which was not obtained. If this could be initiated at that time, such is not the case to-day, for more than six years having since elapsed, the proceeds of the 13 per cent would be insufficient to pay the interest and leave a residue for a sinking fund. In case of the proposal not being admitted now it would neither be possible in future to agree to pay that 3 per cent interest from next January, but from the time when the new mode of payment was accepted.

194 QUEEN'S GATE, LONDON, July 22, 1885.

[Inclosure 1 in No. 42.]

Dr. Viso to Mr. Bunch.

[Translation.]

FOREIGN OFFICE, CARACAS, May 17, 1880.

M. LE MINISTRE: I have the honor to transmit to your excellency a copy of the "resolution" which has just been issued by the illustrious American, President of the Republic, respecting the payment of the foreign claims.

Your excellency will observe that in it orders have been given for the rectification of the balances of the diplomatic credits with the concurrence of the creditor, as well as for the allowance in account current of the 3 per cent interest allotted by the law the 29th May, 1876.

I also inclose the statement of the balance of the British claims made on the above basis up to the 30th April last.

In the account presented by your excellency the Republic is charged with interest at 6 per cent. On this point allow me to remark to your excellency that Venezuela has never agreed to pay such interest, and that the rest of 3 per cent, which Congress fixed spontaneously, is that allowed by the civil code, when no agreement to the contrary exists, in cases of delay.

So soon as the Government of Her Britannic Majesty shall accept payment in bonds, those belonging to the British claims will be placed at your disposal; if it should not accept, its credit will be inscribed in a book destined for that purpose, and a certificate will be sent to the legation of such entry.

In the first case the payment of interests and the gradual redemption of the capital will be made in conformity with article 3 of the "resolution." In the second case, and with the same view, the legation will be credited with 4 per cent on the sum agreed upon at the final balance.

Until these latter shall be finally struck the Government has ordered the distribution to the diplomatic credits of the proceeds of the 13 per cent, taking as a basis of such distribution the table contained in article 4 of the said resolution. In consequence the treasury will hold at the order of the legation from this month the quota assigned to it.

I renew, etc.,

J. VISO.

[Inclosure 2 in No. 42.]

RESOLUTION.

FOREIGN OFFICE, DIRECTION OF FOREIGN PUBLIC LAW,
Caracas, May 17, 1880.

[Translation.]

Resolved, The period fixed by the resolution of the 29th December, 1879, having passed without obtaining the acquiescence of all the creditor Government to the plan proposed of the issue in payment of the claims of bonds ("títulos") of international debt payable to bearer, and as it has become necessary to revise the balances of such credits, as is ordered in that resolution, the illustrious American, President of the Republic, has ordered:

1. The balances above referred to shall be revised with the assistance of the respective creditors, the rate of 3 per cent interest being allowed to them in account current, and, in conformity with the law of the 29th May, 1876, up to the 30th April last.

2. In conformity with that law, there shall be issued the bonds spoken of in its 4th article, which shall be delivered to the legations for the use of their countrymen, or to these latter should it be so agreed. The bonds will bear an interest of 3 per cent per annum, as is fixed by the 2d article of the law in question, beginning from the 1st May of this. Any legation who does not choose to receive the bonds will obtain a certificate of the amount of its credit in the book destined for that purpose. On this amount it will be credited monthly with the proper proportion of 4 per cent per annum, of which 3 will go to interest and 1 to the redemption of the capital.

3. The interests and the redemption fund will be paid monthly, in conformity with articles 1 and 4 of the decree of the 21st July, 1876, which provides for the due execution of the law above referred to. As regards those legations which do not receive bonds, the Government of Venezuela will hold at their disposal the monthly proportion assigned to them with the 4 per cent per annum on that proportion which is above alluded to.

4. Until the final balances are struck, as provided for in the 1st article, the distribution of the funds shall be made on the basis of the balances of the capital sums already recognized when the first distribution was made on the 28th July, 1873, and those which have been recognized at a later date, viz:

Countries.	Capitals.	Monthly quota.
	<i>Bolivares.</i>	<i>Bolivares.</i>
France.....	3,455,155.60	11,637.55
Great Britain.....	2,192,835.24	7,385.84
North America.....	5,847,163.32	19,694.25
Denmark.....	161,241.16	543.09
Holland.....	4,190,906.56	14,115.70
Spain.....	7,704,457.64	25,949.94
Germany.....	200,000.00	673.63
Total.....	23,751,759.52	80,000.00

For the National Executive.

J. VISO.

[Inclosure 3 in No. 42.]

BRITISH CLAIMS.

[Translation.]

1865, December 20. Capital recognized.....	\$247,935.60	
1869, November 5. Capital recognized.....	312,586.25	
		\$560,522.55
To deduct—		
From August 9, 1869, to March 21, 1870, payment made..	12,313.74	
From August 1, 1873, to June 30, 1876, payment made...	20,880.00	
Thirty-five monthly payments, at \$2,755.....	96,425.00	
		129,618.74
		430,903.81
From June 30, 1876, to April 30, 1880, twenty-nine months, at \$2,755..		79,895.00
		351,008.81
Balance of capital.....		
S. Ex. 226—10		

146 BOUNDARIES OF BRITISH GUIANA AND VENEZUELA.

Calculation of interest at 3 per cent per annum, from June 30, 1876, to April 30, 1880, interest on \$430,903.81 in forty-six months.....	\$49,553.94
Less interest on \$79,895, delivered in twenty-nine monthly payments.....	2,996.06
	<hr/> \$46,557.88

Bolivares, 1,590,266.76. Total capital and interest to April 30, 1880..... 397,566.69

J. VISO.

No. 43.

Mr. Currie to Gen. Guzman Blanco.

FOREIGN OFFICE, *September 3, 1885.*

MONSIEUR LE MINISTRE: I have the honor to acknowledge the receipt of your communication of the 22d of July last, in which you maintain the view that the Venezuelan Government has never assented to the payment of interest on the British diplomatic claims.

I regret that Her Majesty's Government are unable to admit this conclusion. They have always claimed interest on the debts in question, and, as explained by Dr. Viso in his note to Mr. Bunch of May 17, 1880, the Congress of Venezuela fixed the rate of interest at 3 per cent, being that allowed by the civil code when no agreement to the contrary exists in cases of delay.

Accordingly, the account presented by Dr. Viso to Mr. Bunch, and inclosed in his note, comprises interest at 3 per cent calculated up to the 30th April, 1880. Dr. Viso's note likewise incloses a copy of the resolution of May 17, 1880, ordering the revision of the balances and the issue of bonds as provided by the law of May 29, 1876.

Under that resolution the British claims were reduced to the amount assigned in the account rendered by Dr. Viso to Mr. Bunch, the monthly payments being fixed at \$1,867.20 instead of \$2,755.

The Venezuelan Government does not, of course, claim to regulate its obligations toward foreign powers in respect of these diplomatic debts by *ex post facto* municipal legislation. Therefore, article 2 of the resolution provided that any "legation" which did not choose to receive the bonds would obtain a certificate of the amount of its credit in the book destined for that purpose. On this amount it would be credited monthly with the proper proportion of 4 per cent per annum, of which 3 would go to interest and 1 to the redemption of capital.

Under these circumstances Her Majesty's Government assented to the reduction of the British claims, but they never waived their claim to interest as provided by the law of May 29, 1876.

Her Majesty's Government can not proceed further with the present negotiations until they learn that the Venezuelan Government are prepared to accept the account as stated in Dr. Viso's note to Mr. Bunch above referred to, and to carry it up to date, with interest at 3 per cent, deduction being made of the payments received by the legation from April 30, 1880. Her Majesty's Government do not ask to be placed in a better position than any other of the creditor Governments, but they have a right to insist that they shall not be treated less well; and as the object of the Venezuelan Government appears to be a general settlement of all the foreign claims on the same footing, subject to certain preferential payments to France based on alleged priority of right, Her Majesty's Government fail to perceive why the negotiations should not proceed from this time in concert with all the creditor Governments.

I have the honor to be, with the highest consideration, Monsieur le Ministre, your most obedient, humble servant,

(In the absence of Lord Salisbury.)

PHILIP W. CURRIE.

No. 44.

General Guzman Blanco to the Marquis of Salisbury.

[Translation.]

No. 337.]

LEGATION OF VENEZUELA IN LONDON,
Aix-les-Bains, September 12, 1885.

MY LORD: I have had the honor to receive your excellency's communication of the 3d instant, referring to the settlement of the British pecuniary claims.

I am compelled to repeat what I have explained to your excellency, namely, that the Government of Venezuela has never agreed to pay interest for such claims.

In fact, they were demanded by the legation, but each time that this took place the secretary of state for foreign affairs declared that it was impossible to increase the debt of the Republic with the charge of interests which have not been stipulated in any treaty. Therefore, the legation has had no right to include them in its accounts, either as 6 or as 3 per cent.

In 1876 Congress authorized the payment of 3 per cent as interest of the diplomatic debt, in order so stimulate the acceptance of a system by which the capital is redeemed by periodical sales at public auction. To this effect bonds were to be issued. An alteration in the manner of payment was then proposed to her Britannic Majesty's Government, viz, to compute interests from the date of the law; and as it was not accepted, it lost its force, failing the supposition under which it was presented.

Bonds were not issued for any legation which had claims, and the matter remained as it was, and it has continued to do so.

The new distribution of the 13 per cent which was made in 1880, in order that all claimants should have an equal share, because those to whom less had been granted in the provisional distribution decreed on the 29th of July, 1873, demanded this.

Venezuela has not the least intention to place British claimants in a position less favorable than that of other nationalities, and if she refuses to grant them unstipulated interests, she acts precisely in a similar manner toward the rest; therefore there is no reason for complaints on the part of Great Britain on account of a difference of conduct, which has not taken place, nor is there any attempt to do so.

As I have previously observed to that department, some of the nations which have claims have formally consented to accept payment in redeemable diplomatic debt bonds with interest, which will begin to be reckoned when the bonds are issued, and not before.

It will be easily understood by the British Government why an equal negotiation has not been established with all nations which have claims, for some are in one case and some in another.

In regard to France, allow me to repeat that the 800,000 francs, which is a balance of the treaty of 1864, were formed with nearly the whole of the monthly quotas assigned to her in 1880, and which have not been paid since April, 1881, and they have been and will be deposited until they are paid, without mentioning here anything about the priority of the convention of 1864, previous to others of like nature; of the utility of redeeming the mortgage established on the ordinary and extraordinary 10 per cent revenue of the four principal custom-houses, viz, those of La Guayra, Puerto Cabello, Maracaibo, and Ciudad Bolivar; nor of other points which this legation has mentioned in memoranda and official communications.

I renew to your excellency the assurance of my highest consideration.

GUZMAN BLANCO.

To His Excellency the MARQUIS OF SALISBURY,
Her Britannic Majesty's Principal Secretary of State for Foreign Affairs.

No. 45.

General Guzman Blanco to the Marquis of Salisbury.

[Translation.]

No. 386.]

LEGATION OF VENEZUELA IN LONDON,
Paris, December 17, 1885.

MY LORD: After having seen your excellency's note of the 9th of October, allow me to state that in mine of the 22d of September there is nothing from which may be deduced that I have mixed British diplomatic claims with those originated in loans or the claims of bondholders. Those have arisen, as their name shows, out of conventions between the respective Governments; and of the same character as those contracted with France, Denmark, the United States of America, Holland, Spain, and Germany.

In order to comply with your excellency's wish to know the documents by which other nations have agreed in the issue of a diplomatic debt, I have the honor to inclose an authorized copy of the conventions on this subject, signed at Madrid on the 10th of March, 1874, and at Caracas on the 27th of January, 1877, both conventions approved by the congress of the Republic and subsequently exchanged.

Article 4 is as follows:

"The legation of Spain at Caracas will continue to receive periodically from the Government of Venezuela the mentioned quota to apply it to the acknowledged claims until they be redeemed. If in the conventions made or those that may be made with

other nations the payment of interests should be granted to other credits, Spain, as the most favored nation, will have a right to the same interest; and in this case her legation shall apply the funds which it will receive from the Government of Venezuela, in the first place to the payment of the interest which may be granted, and afterwards to the redeeming of the capital."

Article 5 of same convention adds:

"If, by virtue of conventions which the Government of Venezuela may make with other claiming powers, a public international debt should be substituted, the certificates or bonds issued in favor of Spaniards, by virtue of the present agreement, will be converted at par into bonds of the mentioned debt."

In regard to the convention with Germany, made when the law of 29th of May existed, which authorized the issue of the diplomatic law for international claims, its third article is as follows:

"If payment be established by means of debt bonds for diplomatic conventions with interest or otherwise, Germany will have equal rights and advantages to the most favored nation."

Thus, when in its opportunity, the present manner of payment is substituted by that of diplomatic debt bonds, the liquidation of what to that date has been paid to each claimant is made, and 3 per cent bonds are issued for the balance, with interest from the date of issue, Spain and Germany will be obliged to accept them by virtue of the duty contracted in those formal agreements.

In regard to the treaty which has just been made with France, and of which I have the honor to inclose a copy, your excellency will find that Venezuela's proposals have been accepted.

Therefore, the only thing that is wanting now is that Great Britain should do the same in order to complete the work, and it is presumed that her example will powerfully influence other claiming nations.

I renew to your excellency the assurance of my highest consideration.

GUZMAN BLANCO.

To His Excellency the MARQUIS OF SALISBURY,
Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, etc.

No. 46.

The Marquis of Salisbury to General Guzman Blanco.

FOREIGN OFFICE, October 9, 1885.

MONSIEUR LE MINISTRE: I have the honor to acknowledge the receipt of your note of the 12th ultimo, with respect to the payment of interest by the Venezuelan Government upon the British diplomatic claims.

In reply I would point out that the claims of British subjects alluded to in your note can not correctly be described as being claims arising out of "loans," nor should they be in anyway connected with the claims of bondholders. They are claims against the Government of Venezuela, and were admitted as such in the preamble to the convention of the 21st of September, 1868.

I would further call your attention to the following passage in your note under reply. You observe that "several of the creditor powers have given already their formal adhesion to the new plan of payment in diplomatic debt bonds with interest and redemption, such interest and redemption to run from the issue of the bonds and not before." I have, however, to observe that no such formal consent as that quoted in the above passage has been made known to Her Majesty's Government in any official document, and I have therefore to request you to be good enough to furnish me with copies of the documents referred to in your note, showing the exact terms in which the other creditor powers have formally consented to receive diplomatic bonds in payment of the debts due to their respective subjects, such bonds to bear interest from the date of issue.

I have the honor to be, with the highest consideration, Monsieur le Ministre, your most obedient, humble servant,

SALISBURY.

Senor General GUZMAN BLANCO, etc.

No. 47.

General Guzman Blanco to Count Rosebery.

No. 254.]

LEGATION OF VENEZUELA IN LONDON,
London, June 19, 1886.

MY LORD: As my departure for Venezuela draws near, I am naturally desirous of seeing definitively settled the questions I have been negotiating with that ministry since my arrival in London, about the middle of 1884.

I refer especially to three questions: (1) The additional tax of 30 per cent on merchandise coming from the British Colonies; (2) the frontier between the territories of the two Guianas; and (3) the pecuniary reclamations.

The first two points are resolved in the draft of the treaty which has to substitute the incomplete and antiquated pact of 1825, by which it is established that in future the merchandise coming from British Colonies shall pay the same duty of importation as that coming from the metropolis, and that, further, any difference between the two contracting parties shall be decided by means of the arbitration of a power in amity with both nations. And the third point, which refers to the reclamations, is dependent only on the assent of the Government of Her Majesty to the method of payment proposed by Venezuela, which consists in substituting the gradual amortization of the capital without any interest, as it is done now by a diplomatic debt of 3 per cent interest and with half-yearly amortizations. This change has been considered advantageous by the other creditors of Spanish, German, and French nationality, and nothing is needed but acceptance of the Government of Her Majesty for its being brought into execution.

I renew, etc.,

HIS EXCELLENCY COUNT ROSEBERY,

*Principal Secretary of State of Her Britannic Majesty
in the Department of Foreign Affairs, etc.*

GUZMAN BLANCO.

No. 48.

Count Rosebery to General Guzman Blanco.

[Memorial 305. Retranslated from the Spanish.]

FOREIGN OFFICE, *July 20, 1886.*

SIR: I have the honor to acknowledge the receipt of your notes of 19th and 24th last month.

I am anxious to profit by your permanence in Europe for the purpose of making every effort to come to an understanding with you about the questions which are matter of dispute between our respective countries, and in conformity with the offer I made in my note of 23d last month. I send you now a memorandum of the bases according to which I should be disposed to enter into negotiations.

I feel assured you will acknowledge the spirit of reconciliation which the Government of Her Majesty exhibit in these proposals, and I hope you will meet them with the sincere wish to settle these unpleasant questions in a manner reasonable and satisfactory both to England and to Venezuela.

I have, etc.,

TO HIS EXCELLENCY GENERAL GUZMAN BLANCO, etc.

ROSEBERY.

[Inclosure 1 in No. 48.]

Memorandum of the bases of negotiation.—I. Boundary.

[Retranslated from the Spanish.]

It is proposed that the two Governments shall agree upon considering as territory disputed between the two countries the land situated between the two boundary lines indicated, respectively, in the eleventh paragraph of Señor Rojas's note of February 21, 1881, and Lord Granville's note of September 15, 1881, and to draw a divid-

ing line within the limits of this territory, either by arbitration or by a mixed commission, on the principle of equal division of said territory, and in due regard to natural boundaries. The Government of Her Majesty gives especial importance to the possession of the river Guaima by British Guiana, and wishes, therefore, to make the stipulation that the boundary line is to begin at the coast point, and a proper compensation to be found in any other part of the disputed territory for this deviation from the principle of equal division. In connection with the boundary, there shall be considered the cession of the Island of Patos to Venezuela.

The river Orinoco shall be entirely free to commerce navigation.

[Inclosure 2 in No. 48.]

II. Treaty of commerce.

In the case of a satisfactory arrangement of the other pending questions, the Government of Her Majesty will be disposed to accept the clause of the "most favored nation" proposed by Venezuela, instead of the absolute clause, which until to day this Government had insisted upon.

It will likewise be convenient to add in the treaty the clause "by arbitration" proposed by Venezuela, limited to those differences that may arise after the treaty is signed with exclusion of the questions of the boundary and the island of Patos, which the Government of Her Majesty is ready to consider separately in the manner indicated before.

The differential duties for the island of the Antilles shall cease as soon as the preliminary agreement between the two Governments has been signed.

The question of claims of indemnification for the imposition of these duties against the existing treaty shall be submitted to an arbitration.

The Government of Her Majesty, with the assent of the British claimants, will agree in settling the reclamations of 1865 in a manner similar to the contents of the second article of the agreement between France and Venezuela, signed the 26th November, 1885. Other pecuniary reclamation of British subjects against Venezuela shall be submitted to a mixed commission, or to an arbitration, unless they are disposed of otherwise.

No. 49.

General Guzman Blanco to Secretary for Foreign Affairs.

[Translation.]

LONDON, July 29, 1886.

SIR: I have had the honor to receive the communication of that ministry, dated 20th last month, and the memorandum in it inclosed, of the bases for an arrangement of the questions pending between our respective countries.

There are three of them, and the British Government has connected them and requested their simultaneous and amicable solution.

In regard to the boundary, the constitution of the Republic declares that the limits of the latter are the same as were those of the captaincy-general of Venezuela in 1810, and in another of its articles it prohibits any alienation of territory. Both provisions combined render it impossible to the Government to enter into any agreement in the matter of limits, in the persuasion that the captaincy-general, of which the Republic is the rightful successor, had in 1810 the Essequibo as frontier. There remains for this reason no other solution but arbitration, by which it shall be decided that the possession belongs to whom has the better right. The exclusion, therefore, from arbitration of a question, in which it is most convenient and absolutely necessary for Venezuela, removes us farther from the hope of coming soon to an end. It must further be added that the restriction of arbitration is by itself an obstacle to the signature of the treaty of commerce, as there is in the same constitution another article which imposes to the Government the necessity of inserting the clause of arbitration in absolute terms.

Arbitration in this extension has been agreed upon between Venezuela and other nations: Italy, Spain, Belgium, Colombia, etc.

For the arrangement of the dispute in regard to differential duties, it will be sufficient to add to the treaty a stipulation which puts the colonies on the same level with

the metropolis, as has been proposed by Venezuela; and as the latter has decreed this tax in virtue of her sovereignty and without breaking any international obligation, as has been proved, she can not submit to the decision of an arbiter the point whether she is responsible for the execution of the law.

The acceptance of the clause of the most favored nation in the terms requested by Venezuela would be completely satisfactory if it were not dependent on her consenting to the propositions referring to the other questions.

The treaty of 1825 and 1834, which was left deficient in order to be completed by a new negotiation that was to take place without delay, as it is stated in the fourteenth article, can not be considered binding sixty-one years after its having been signed, so much the less as the Republic during more than four decenniums has been making efforts to fix the time of its duration, which undoubtedly was one of the principal articles omitted.

The arrangement as to the manner of paying the reclamations can not be submitted to the assent of the private creditors, because their claims were converted by the conventions of 1865 and 1868 into a diplomatic debt of the Government of Venezuela to the Government of Her British Majesty.

In the annexed memorandum I have explained more extensively the state of things.

It remains only to express my sorrow to see that the well-meant, sincere, and amicable efforts of two years have not produced the result which was to be expected, and that I shall return to my country with the dissatisfaction of leaving the question pending, such as it was before my arrival, or rather worse, for it will be impossible to continue the threefold negotiation which is now suspended, until the person who may come to substitute me has studied sufficiently the voluminous and difficult dispatches in which it is contained, and acquired the various and profound knowledge which is connected with these questions.

I remain, etc.,

GUZMAN BLANCO.

*To His Excellency the Principal Secretary of Her British Majesty,
in the Department of Foreign Affairs, etc.*

[Inclosure in No. 49.]

MEMORANDUM.

The Government of Her British Majesty made in 1883, through the British legation at Caracas, to Venezuela the proposal of a simultaneous and amicable arrangement of the three following questions, viz, limits, differential duties or treaty of commerce, and pecuniary reclamations. The idea was gladly accepted, and the President of the Republic sent Gen. Guzman Blanco to London, with the sincere intention to bring the negotiation to an end. The envoy arrived in this country in July, 1884. He at once began to take the steps conducive to the object, and about the middle of 1885 the proceedings were so far advanced that there remained only pending the discussion about the clause of the most favored nation and about the manner of paying the claims. The acceptance of arbitration had opened the way to the solution of the boundary question; the conclusion of a new treaty of commerce was to remove the difficulties arising from the antiquated pact of 1825, and the British colonies were sure to obtain the same treatment at the metropolis; and by the admission of the notes of the diplomatic debt the general fulfillment of a law of Venezuela was to be achieved, advantageous to both debtor and creditors. In this state of things a political change took place and the successor of Lord Granville withdrew the article on general arbitration, although it had been agreed upon by both parties. It was in vain that the Venezuelan legation insisted upon the compliance with the word given by the anterior administration, notwithstanding the chief of the new ministry proclaimed the convenience of redeeming the promises of the Government, even if they were made by their predecessors; and thus the Republic did not obtain what was conceded to Russia.

Meanwhile some grave events had taken place in the Republic, where two vessels under British flag, one with an English crew and officers, as has been proved before one of the courts of this city and commented upon by the daily papers, had landed a revolutionary invasion, proceeding from London and Port-of-Spain. These circumstances were little favorable for the continuance of that friendly intercourse. The legation took up its work again when the danger had been removed, not by any repressive measure of Her British Majesty's functionaries, but by the bravery and loss of life of Venezuelan citizens. Nor was the legation checked by the consummation of other doleful acts executed by order of the governor of the British colony of Demerara, which had produced an extraordinary excitement in the Republic, the territory of which had been invaded by official commissions, directed to penetrate into various

places, to put up public notices and other signs of authority, and even to seize a police officer and to conduct him off for the purpose of submitting him to trial. The minister has referred to these occurrences in a special note bearing the number 350.

His last note requesting the arrangements of the three pending points, in expectation of which he has delayed his return to Caracas, although since the 27th of April he is the President elect of the Republic, is answered now in such a manner that the possibility of an understanding between the two parties appears to be further off than before.

In fact the pretension is brought forward that the boundary lines indicated in Señor Rojas's note of February 21, 1881, and in Lord Granville's note of September 15, 1881, being taken as the extremes, the territory situated between these lines should be considered as under dispute, and a new boundary line be drawn within said limits, either by arbitration or by a mixed commission, on the principle of equal division of said territory and in due regard to natural limits. However, as Great Britain gives much importance to the possession of the mouth of the Guainia, it is desired that the line, on the shore end, shall begin at the west of that point, a compensation for such divergence from the principle of equal division having to be found within the same territory. It is promised to connect the cession of the island of Patos with the boundary question, and finally the request is made that the Orinoco shall be entirely free to commerce and navigation.

The acceptance of these propositions made by Lord Rosebery would decide, once forever, and in a manner unfavorable to Venezuela, the question of the right of dominion, always maintained by the Republic, as far as the Essequibo. If Venezuela could do as much, there would be no need of a mixed commission, nor of an arbitration for the purpose of dividing equally the portion of the territory which it is endeavored to declare as being in dispute. Venezuela has repeatedly held forth to Great Britain her impossibility to alienate any part whatever of the territory of the Republic, such a thing being explicitly prohibited by the constitution; so that there remains but arbitration for bringing the dispute about the boundary to an end.

It comes to the point to observe that the Republic since 1841 has been urging the cabinet of Her Majesty to come to an arrangement in the controversy of limits, and that Lord Aberdeen in 1844, at the time minister of foreign affairs, proposed a line which, after having been modified, is as follows: "Beginning on the coast at the mouth of the river Moroco, it runs straight to the point where the river Barima joins the Guainia; from there up the Barima as far as the Annama, which it follows upward to the place where this creek reaches its shortest distance from the Acarabisi; then it descends the said Acarabisi as far as its confluence with the Cuyuni, following afterwards the last river upstream until it reaches the high lands in the immediate neighborhood of Mount Roraima, which divides the waters flowing to the Essequibo from those running into the Rio Branco."

This proposition was not accepted, not only on account of its being in discrepancy with the rights of Venezuela, but also as it appears to make a cession to Venezuela of what she claims as her own, and besides, under the onerous condition, restrictive of her right of property of never alienating to any foreign power any part whatever of the ceded territory. It was further requested that the Indian tribes living there at the time should be protected against all oppression and ill treatment. The death of the Venezuelan diplomatic agent interrupted then the course of negotiations, which was urgently taken up again in 1876 in two separate notes, with the inclusion of the question of the island of Patos. The 16th February, 1877, Lord Derby acknowledged the receipt of both these communications, and, supposing that the minister, Señor Rojas, would bring instructions in regard to the contents of these notes, limited himself to say that his Government would always be much pleased to receive, and to consider with due attention, whatever communications the Government of Venezuela should think proper to send through Señor Rojas or the minister resident of Her Britannic Majesty at Caracas.

The said agent, Señor Rojas, took several steps in the matter, and presented, the 21st February, 1881, by his own account, propositions of agreement, which were rejected by Lord Granville the 19th September of the same year, and substituted by the following one: "The starting point shall be fixed in a place on the sea coast distant 29 miles due east from the right bank of the River Barima, and from there the line shall run toward the south, passing over the mountain or hill called Tarabita on the original map of Schomburgk, situated in 8° latitude north; thence to the west on the same parallel of latitude till it intersects the boundary line proposed by Schomburgk and laid down on the said map; farther on it shall follow the course of the Acarabisi to its confluence with the Cuyuni, and then the left bank of the River Cuyuni up to its head waters, whence it shall turn to the southeast, to meet the line proposed by Schomburgk, to the Essequibo and Corantin."

Lord Granville said of this boundary line, in the memorandum in which he proposed it, that it satisfied the reasonable pretensions and exigencies of Venezuela, and prevented all occasions of further disputes that such a line left to the Republic what

might be called the Dardanelles of the Orinoco, the complete dominion of its mouth, and nearly one-half of the disputed territory, whilst it insured to British Guiana a natural frontier well defined in almost its whole length, with the exception only of the first 50 miles from the sea into the interior, where it would be necessary to trace an arbitrary line in order to give Venezuela the undisturbed possession of the mouths of the Orinoco. He further added that this line did not deprive the Republic of any territory actually peopled and occupied by Venezuela, and, finally, that it would be understood by the Indians and other inhabitants, as it ran on the banks of the Cuyuni from its origin down to its confluence with the Acarabisi and along the latter up to its head waters, and thence over the mountains, which in a northern direction extend toward the sea.

It appears from these statements that in the course of time the propositions of the Government of Her Britannic Majesty have become more and more unfavorable. In the two initial cases it was intended to leave to Venezuela the free possession of the mouths of the Orinoco, it being recognized that this was a reasonable pretension and exigency; whilst in the third proposition endeavors are made to limit her right in this respect by the demand of full liberty to navigate the great river for commercial purposes. On the other hand, it is evident that the line proposed merely favors the interests of British Guiana, sets aside not only the question of right, but also the interests of Venezuela.

Considering now that the Orinoco in its whole extension runs through Venezuelan territory, it has evidently the character of an inland river, subjected to exclusive dominion; Venezuela has therefore the right to regulate, and has always regulated, its navigation and commerce in accordance with whatever she has believed convenient to her interests. She has constantly maintained the same principles invoked by Great Britain in the memorable discussion with the United States of America in regard to the navigation of the St. Lawrence River, by which the Great Lakes of that Republic discharge their waters into the ocean. The legislation of Venezuela has hitherto opened the use of the national rivers to a foreign flag only in some special cases for a limited time and on the condition of reciprocal concessions.

To conclude, Venezuela revindicates to-day, as she has done formerly, and in particular in the Presidential message of 1877, her rights on the territory as far as the Federal Constitution prohibits absolutely the alienation of any territory of Venezuela. Her Government can not accept any transaction, whatever it may be, nor is there to be found any other way of removing the difficulty except by appealing to an arbitration.

With reference to the island of Patos, it has been proved that on account of its being nearer to the coast of the Republic than to that of England, as well as for other reasons, it must belong to Venezuela and not to Great Britain. Its inclusion under the jurisdiction of the ayuntamiento of Trinidad by the Spanish governor, which has been alleged in contra, has not been confirmed, as it was indispensable for the validity of the plea by the royal court of Spain.

The Government of Her Majesty offers to accept "the clause of the most favored nation" in the terms proposed by Venezuela, but only under the condition that the other questions be arranged in a satisfactory manner; however, it is apparent, and will always be so, that the difference between the two parties is growing wider every day.

It is also offered to add in the treaty of commerce the clause referring to the arbitration proposed by Venezuela, provided it be limited to the differences that may arise after the date at which the treaty be signed, and with the exclusion of the question of the boundary as well as that of the island of Patos, to which is to be applied the special method pointed out before. But the boundary question is precisely the most important which ought to be submitted to an arbitration, as it is at the same time the most adequate for such a proceeding; just as Great Britain has done in several cases of the same nature with the United States of America, and quite lately in that of the "Haro Channel" which was referred to the arbitrament of the Emperor of Germany and decided by him; and it is a notable circumstance that the Government of Her Majesty has appealed as often as six times to this manner of adjusting the dispute.

It must likewise be considered that the article 109 of the constitution of Venezuela orders the executive power to insert into the treaties the clause of arbitration for whatever differences may arise between the two contracting parties, without admitting of no exceptions of any kind. It appears herefrom that the President can neither accept nor Congress approve a treaty which does not contain such a stipulation or includes it with certain restrictions.

In regard to the differential duties it is pointed out that they shall cease as soon as the preliminary agreement between the two Governments be signed. The minister of Venezuela has stated from the beginning and constantly that he is disposed to put the English colonies on the same level with the metropolis by means of the addition in the new treaty of an article which expresses it explicitly.

The novelty is now introduced of proposing an arbitration to decide the question of claims for indemnification on account of the imposition of these duties against the existent treaty.

The Government of Venezuela kept up a correspondence with the British legation at Caracas, from 1882 to 1883, in order to explain and to justify the legitimate right of the legislature to establish the additional tax of 30 per cent on all merchandise coming from the English colonies in the Antilles. The attention of the British Government is called to the discussion, so much the more so as the last note of the minister of foreign affairs of February 7, 1883, has not been refuted hitherto, and it was the next step of the Government of Her Majesty to combine this question with those of the boundary and pecuniary reclamations and to demand their simultaneous and amicable arrangement.

It will be serving the purpose to recollect the substance of the controversy. A law of Venezuela of 1881 imposed an additional duty of 30 per cent on all merchandise coming from the colonies. Lord Granville was of the opinion that in regard to Great Britain this was a breach of the treaty concluded in 1825 with Colombia and renewed in 1834 with Venezuela. He maintained that by the fourth article of this treaty it was prohibited to impose on the importation into the ports of Venezuela of articles being the growth, produce, or manufacture of the dominions of Her Britannic Majesty other or higher duties than those which are or may hereafter be payable on similar articles being the growth, produce, or manufacture of another foreign country. It was argued that, in consequence of the new law, merchandise imported directly from the British colonies in the Antilles shall have to pay higher duties than similar articles coming from other countries, and that in the case of such merchandise, being the growth, produce, or manufacture of the dominions of Her Britannic Majesty, the application of the law was incompatible with the stipulations of said treaty. It is apparent herefrom, first of all, that there is no motive for complaint if the taxed merchandise be of foreign origin, though it may come from the colonies; and further, that there would be no breach of treaty if the tax were not limited to the British colonies, but applicable to all, without distinction of nationality, inclusive even of Venezuelan merchandise. Moreover, the stipulations referred to would not have been trespassed if the territory of the English metropolis had been included in the duty, provided all the other powers were to be included too. It has also been proved that, by the third article, reciprocal liberty of commerce was established between Colombia and the territories of Her Britannic Majesty in Europe, so that the text excludes the colonies, which might have been, but were not, mentioned in it. The difference has been insisted upon, which always has been made between the metropolis and the colonies, the latter holding a situation less favorable than that of the former; and it has been observed that in the political language of Great Britain the words "colony" and "dominion" do not signify one and the same thing. It has also been shown that in article 3, mentioned before, Her Britannic Majesty allows the Colombians the same liberty of commerce and navigation which is stipulated for the dominions of Her Majesty outside of Europe, in the same extension in which it is allowed to any other nation; and herefrom it follows that an inequality was established between the commerce with the metropolis and the commerce with the colonies. Finally, the significative fact was called to mind that when in 1825 the treaty between Colombia and Great Britain was concluded there existed in that Republic differential duties for the colonies, which continued after the ratification of the treaty, without the cabinet of London thinking it worth the while to make any observation about it, which proves that this point was then understood in the same manner as now maintained by Venezuela.

The President of the Republic, with a spirit of reconciliation, issued the 22d January, 1883, a decree that the tax was not levied on all those productions and manufactured articles which, having been embarked in Europe or the United States of America with destination to the ports of Venezuela, in accordance with the formalities prescribed in the law about the transaction of business in the custom-houses, should arrive by transit in the colonies, in order to be transshipped there, or to be deposited until being taken to the ports of Venezuela in other vessels.

This modification has attenuated the effects of the measure to the benefit of the colonies.

The Government of the Republic has been not less disposed to add in the treaty of commerce an article for the purpose of exempting from differential duties all the importations from the British colonies, as far as they are not prohibited in Venezuela.

It is a matter of urgency that the treaty of 1825-1834 should expire; because, besides its being antiquated, as it was called by Lord Granville, it is impossible that stipulations in regard to navigation and commerce should have a character of perpetuity; they can not remain stationary, but needs must follow the current of human events. The contracting parties themselves declared that the treaty was incomplete, and they intended carrying on the negotiations without the shortest delay, in order to add the

omitted articles, one of which being evidently the fixation of the time the treaty was to be valid, This has not yet been done, although since then sixty-one years have passed and Venezuela has urgently requested it long ago; whilst it was conceded to New Granada, like herself an heir to the treaties of Colombia, already in 1866.

It is satisfactory that the Government of Her Majesty with respect to the claims recognized in 1865, has resolved to agree upon an arrangement similar to the contents of the 2d article of the convention made between Venezuela and France, the 26th November, 1885.

But it does not appear advisable to make it dependent on the assent of the private creditors; because these claims are not any longer a private affair, since they have been converted into international arrangements. The parties interested have had time to express their opinion about the proposed change, and there is no doubt that it is as favorable as were the opinions of the German, Spanish, and French claimants. There can indeed be no vacillation whatever; on one side, a slow amortization, by small sums, of the capital of a debt without any interest, and not simultaneously for all the creditors, but successively for the two classes in which they are divided; on the other, full payment of the whole amount in notes bringing interest, and therefore salable in the money market.

In the case of there existing any other pending reclamations of subjects of Her Majesty against Venezuela, the Government will not deny their being submitted to the decision of a mixed commission, in the same manner as has been done with some French claims in the recent agreement made in Paris, but of course under the conditions specified in its fifth article.

No. 50.

General Guzman Blanco to Earl Rosebery.

No. 350.]

UNITED STATES OF VENEZUELA, LEGATION IN LONDON,

London, July 23, 1886.

MY LORD: It is some time since the Government of the United States of Venezuela communicated to me the order to enforce before the cabinet of Her Britannic Majesty the reclamations made first at Caracas, against the repeated acts of violence committed by English authorities in the territory of Venezuela. I have waited till now that the cabinet of the Queen, taking in consideration the just complaints of the Republic, would, after the necessary information, dictate the measures of satisfaction which these offenses demand. But as this has not been the case, I proceed to expose the reasons of the urging requests of the executive power.

I must begin by saying that the facts committed in detriment of Venezuela are impossible to be justified, and as they go out from agents of a great and powerful nation, with which the Republic has lived in long and cordial amity, it is very natural that they have excited considerably public opinion and aroused feelings which had been silent since 1841.

If your excellency be pleased to order that the respective documents be brought to view it will be found that Engineer Schomburgk, in charge of a scientific commission in Guiana, traveling at that time over the country, erected arbitrarily, in Barima and other parts, posts as signs of the British dominions in those places, as if one of the parties in an international dispute could resolve *per se* and *de facto*, without any contradictory discussion, a controversy with the other having the same attributes, viz, sovereignty and independence. However, this arbitrariness was not approved; on the contrary, the Government of Her British Majesty, without listening to the voice of reason, gave, in honor to themselves, the necessary explanations, and, moreover, ordered the posts and emblems to be removed.

The President of Venezuela, wishing to prevent in the future the repetition of such grave events, and to shut up forever the fountain of differences and difficulties, set to work at once with the greatest interest for the arrangement of the question of the frontiers between the two countries. The negotiations were opened at first by the minister plenipotentiary, Señor Dr. Alejo Fortique, but no result was arrived at on account of his untimely death in 1844. From that time till to-day some steps have been taken in order to bring the matter to an end, and Venezuela has seen with sorrow that lately a proposition has been made by Great Britain which is less favorable than the one presented spontaneously by Lord Aberdeen to Señor Dr. Fortique, without there being known anything in regard to the cause of such difference. The Republic, for her part, considering the mutual advantages of arbitration, adopted by Her Majesty in similar cases, and besides prompted by constitutional precepts, has appealed more than once to a procedure recommended by the chambers, the statesmen, and the public opinion of the United Kingdom of Great Britain and Ireland, as well as by the whole civilized world.

Mr. Belford Hinton Wilson, chargé d'affaires of Great Britain in Venezuela, referring to the rumor which had spread in 1850 that England intended claiming Venezuelan Guiana, took great interest to contradict it, and declared in an official note of the 11th November that not only was it absolutely and completely groundless, but that precisely the contrary was true. In addition to which he expressed himself in the following terms:

"The Venezuelan Government, in justice to Great Britain, can not mistrust for a moment the sincerity of the formal declaration which is now made in the name and by the express order of Her Majesty's Government, that Great Britain has no intention to occupy or encroach upon the territory in dispute; therefore the Venezuelan Government, in an equal spirit of good faith and friendship, can not refuse to make a similar declaration to Her Majesty's Government, namely, that Venezuela herself has no intention to occupy or encroach upon the territory in dispute."

Further on says Mr. Wilson, in the same note:

"Her Majesty's Government, as above stated, will not order or sanction such occupations or encroachments on the part of the British authorities, and if at any time there should be any error about their determination in this respect, the undersigned is persuaded that they would willingly renew their orders on the subject;" he is then satisfied that, in accordance with the friendly suggestions of Her Majesty's Government, the Government of Venezuela will not hesitate to send to the Venezuelan authorities positive orders to refrain from taking measures which the British authorities may justly consider as aggressions.

The Government of the Republic complied with his desire, and declared not to have the intention to occupy, not to usurp, any part whatever of the territory the dominion of which was a matter of dispute, adding that it would not be seen with indifference if Great Britain should proceed otherwise. According to this promise the authorities of Guiana were instructed to abstain from any steps which might infringe the engagement contracted by the Government and possibly have lamentable consequences.

This agreement has been in force till now without any alteration; no term was fixed for it, nor has any of the two parties since then made to the other the least communication concerning the matter.

If such an agreement has any signification whatever, it is clear that neither Great Britain nor Venezuela were allowed to occupy the disputed places, the specification of which ought to have been an integrant part of the agreement; but this was not done. However, the rational meaning of the latter is in its bearing upon the maintenance of the *statu quo*. In this sense it has been understood by the Republic, and therefore the British were left provisionally on the territory claimed by Venezuela as far as the Essequibo, of which they had *de facto* taken possession.

Great Britain, on the contrary, has been advancing in its occupation of the territory, and this conduct, as well as the recent actions of its authorities, proves that the spontaneous declaration mentioned before had passed recollection.

At the time the question of the frontier between Venezuela and British Guiana was ventilated Lord Aberdeen, then first secretary of state of Her Britannic Majesty in the department of foreign affairs, spontaneously proposed, in reply to the claim made by the plenipotentiary, Senor Fortique, in regard to the Essequibo line, that the frontier should begin on the coast at the mouth of the river Moroco, and follow the latter upstream, etc. It follows herefrom that the British pretensions, at the utmost, could not go farther, for it would be an absurdity as inadmissible as discreditable for the illustrious members of the Government at that time to suppose that the cabinet of Her Majesty did not know then that the boundary line should go as far as the Orinoco.

Venezuela, however, did not accept the proposition. But now, forty years after these events, and notwithstanding that England to-day can not have any more right than its predecessor, Holland, had in 1814, when the cession of part of Dutch Guiana took place, it is pretended that Great Britain is entitled to exercise jurisdiction as far as the right bank of the river Amacura.

But let it even be supposed for a moment that such were the aspirations of Her Majesty's Government, it was certainly not permitted that, after the promise not to occupy nor to usurp the disputed territory, officers of the British navy and civil authorities should commit actions like those consummated at the principal mouth of the Orinoco and in other places, mindless of the sovereignty, laws, and authorities of Venezuela. Some English functionaries requested in October, in 1884, the assistance of a pilot to enter the river, and as this request was denied to them, on account of their not being bound for any port of the Republic open to foreign commerce, they continued quietly on their voyage, penetrated into places which always have belonged to Venezuela, erected posts with the notice of such places being under the British law, removed functionaries of the Republic, substituting them by other of their own selection, intended enlisting the services of Venezuelan officers, and promised to return with larger forces to make effective their orders. They returned indeed and con-

tinned in their proceedings, without taking any notice whatever of the protest of the Venezuelan authorities. Not satisfied herewith, they arrested an officer of the Republic, under the pretext that he was guilty of misdemeanor, for having ill treated a Portuguese subject; and, being brought before a tribunal at Demerara, he was sentenced to punishment, which has been executed. This man is named Robert Wells, held the place of commissioner of Amacura, and was captured by trickery.

These facts need no other proof but the following: The Government of the Republic appointed Gen. Frederico Puga to make an inquiry into what had happened. He visited the places where the events had occurred, and having met at Morajuana Mr. Michael McTurk, he asked him, first verbally, and then by writing, about the affair. This person, who gives himself the title of "acting special commissioner and superintendent of the Crown lands and forests in the district of the river Pomerón," answered the 4th April in the following terms:

MORAJUANA RIVER, BRITISH GUIANA,
April 4, 1885.

I have been on rivers Amacura, Barima, Morajuana, and Waini, and have placed notices in English at the principal points on said rivers. I regret not to have a copy of those notices to send to you, but as they were removed by the employees of the Mauoa Company, you may probably be able to get one from them. The notices were posted once only, by order of his excellency the governor of British Guiana.

The name of the steamer in which I came was the *Lady Longden*, Captain Paisley. I have been several times on the aforesaid rivers after having posted the notices, but in the discharge of my functions of magistrate in charge of the district of which they form a part.

Roberto Wells was sentenced by the supreme criminal court of the Judelie sessions, Essequibo River, on the 20th of February last, for an assault committed (I believe in October last) upon the person of a Portuguese subject at river Morajuana. I never heard that he was a police official for the Government of Venezuela, but I did hear that he was an employee for the Mauoa Company, as I was told by Wells himself.

I did not require a pilot for the Amacura, neither did I ask for the services of one for the Orinoco.

I have the honor to be, sir, your obedient servant,

MICHAEL MCTURK,
*Special Magistrate pro tempore, and Superintendent of the Crown
Lands and Forests in the District of the River Pomerón.*

SEÑOR F. PUGA,
Commissioner for the National Government of Venezuela.

Here it is manifestly recognized, 1st, that Mr. McTurk visited the rivers Amacura, Barima, Morajuana, and Waini, and that he put up English notifications in the principal places; 2d, that he did so by order of his excellency the governor of British Guiana; 3d, that he went in the steamship *Lady Longden*, Captain Paisley; 4th, that he has visited repeatedly those rivers after having put up the notification, although he adds that he did so in virtue of his office as acting commissioner of the district to which they belong; 5th, that Robert Wells was sentenced by the supreme criminal court during the session at Judelie, river Essequibo, the 20th February last, for having made an assault, as it is reported, on the person of a Portuguese in the river Morajuana (in October, 1884); and 6th, that he did not need a pilot for the river Amacura, nor requested the services of any one for the Orinoco.

With respect to the last points, this statement of Mr. McTurk is contradicted by several witnesses; however, it shall be set aside for the moment, in order to expose the transcendence of the proceedings of the said person in his character as a public British functionary.

At first sight it is clear and evident that the most sacred attribution of the Republic, viz, its territory, has been violated by British officers by order of the Government of Guiana, and not accidentally, but with deliberate purpose, and in midst of the amity which was established by a solemn pact.

In the second place, there has been committed an infraction of an agreement, conceived and proposed to Venezuela since 1850 by Great Britain, which was only accepted by the Republic with deference to the desires of Her Majesty, and for the purpose of preventing in the future, until the question of the frontier should be settled definitely, any difference that might be hurtful to the good relations between the two parties.

The governor of British Guiana has infringed the orders he must have received formally, and which later on must have been repeated, of not making any usurpation nor occupation, as the Government of Her Majesty had promised neither to ordain nor to sanction any such proceeding of their authorities, and declared to be ready to renew willingly their orders concerning this matter in the case of there occurring any misunderstanding in regard to this point.

At the same time is there an instruction of the declaration made in the name and by special order of the Government of Her Majesty, viz, "that Great Britain has no intention to occupy nor to usurp the disputed territory?"

As this agreement refers to those parts of the territory which are the subject of a dispute, it must likewise be applicable to places of undoubted ownership, which have always been in the rightful possession of their lord. Such is precisely the case with some of those places where English functionaries executed jurisdictional acts, and where never any other Government but that of the Republic has been known. The very circumstance of it having appeared convenient to put up notifications and other signs of British dominion proves that it was intended to speak to the eyes of the inhabitants, giving them to understand that some novelty was to be introduced. For the same purpose Mr. Mc. Turk was sent to places which did not belong to the district under his jurisdiction.

Although the said Mr. McTurk assures that he did not ask for a pilot to sail up the Orinoco, there is the statement of the officers of the light-ship who affirm the contrary, and who did not comply with his request, as his voyage was not directed to any port open to foreign commerce. He, however, did not take notice of this formality, and continued his voyage at the risk of coercive measures to prevent the consummation of an offense against the rights of Venezuela. The laws do not permit the entrance into the territory but through the ports qualified for this respect, and even if Great Britain owned possessions, the access of which were only possible through the land or waters of the Republic, it would be necessary to comply with this formality. The Orinoco is an inland river, which only can be entered by vessels under certain conditions, and with the indication of those places where it is allowed to land or to drop anchor.

There exists, moreover, a law prohibiting foreign men-of-war the entrance into ports not open to foreign commerce, unless it be for scientific purposes, and in this case only with the previous permission of the executive power. This law was notified in 1882, although there was necessity for doing so, to the foreign nations represented in Caracas, and amongst them to Great Britain.

The gravity of the case increases when it is considered that a functionary of the Republic was arrested in its own territory, and without notice being taken of his authority; that he was called under false pretenses on board a British vessel, where he was told he was a prisoner; that he was taken to Demerara, brought to trial, and sentenced to punishment, which was executed, for the misdemeanor of having ill-treated a Portuguese subject. The majesty of the nation has been offended by such a proceeding against the person of Mr. Wells, who was its commissioner. If he did anything wrong in exercising his commission, he was only responsible for it to the qualified judges of Venezuela, and by no means before the tribunals of a foreign country, to the laws of which he was not subject. It is difficult to understand why his cause was not dismissed as soon as he alleged his character as a Venezuelan functionary, and the deed he was accused of had been an act of his legitimate jurisdiction within the territory of the Republic. In case that such jurisdiction should have been unduly conferred on him, the consequences were for the Republic, his constituent, and had not to fall back on a subordinate, who acted on behalf of another one. And even if he had been a private delinquent, his actions were only subject to the lord of the territory where they had been committed, and not to the authorities of Demerara who sentenced and punished him.

The functionary who was on board the mentioned man-of-war of Her Britannic Majesty entered the mouth of the Orinoco, arrived at the light-ship, and asked for a pilot to sail up the river; and as this request was denied by the officers of the light-ship, on account of the steamer not being bound for any port open to foreign commerce, he sailed on without a pilot as far as the "Amacura" and next day to "Guaima" by the channel of "Barima," leaving at all the places touched the following notification:

GOVERNMENT NOTICE.

Notice is hereby given that any persons infringing the right of Her Majesty, or acting in contravention of the laws of British Guiana, will be prosecuted according to law.

By command.

FRANCIS VILLIERS,
Acting Government Secretary.

GEORGETOWN, DEMERARA, October 16, 1884.

All this happened in October, 1884, since the 18th of the month. From that time onward the Venezuelan territory was repeatedly invaded, and amongst other acts the following were committed: The authorities named by the governor of the "Territory Delta" at the mouths of the Amacura and Morajuana, were violently destituted, and

to the commissioner at the former of these places, Señor Roberto Liso, the proposal was made to invest him with sufficient authority, pay him a salary, and give him the necessary garrison for the maintenance and defense of the British jurisdiction in that place.

The 22d November following, the said Mr. McTurk wrote from the right bank of the Amacuro to Mr. Thomas A. Kelly, acting president of the Manoa Company, stating that he had received notice that the company was going to erect a sawmill at the mouth of the Barima, and added what follows: I deem it my duty as the officer now in charge of the Pomeroon River indicial district, and which district extends to the limits of the colony on its Venezuelan or western side, to notify you that the Barima River is in the county of Essequibo and colony of British Guiana, and forms part of the indicial district, over which I exercise jurisdiction.

No settlements of any kind, whether for the purpose of trade or any other purposes, can be made within the limits of the colony unless in accordance with its existing laws, and those that may become resident therein will be required to obey them.

I would draw your attention to the notices posted on the trees in the Amacuro, Barima, and Waini rivers, one of which I am told you have. I inclose a written copy. These notices were placed where they are by order of his excellency the governor.

I have the honor to be, sir, your obedient servant,

MICHAEL MCTURK,
Special Magistrate and Superintendent Crown Lands and Forests, Essequibo River, and acting for the Pomeroon River Judicial District.

THOMAS A. KELLY,
President Manager of Manoa Company.

In another communication of the same date Mr. McTurk writes to Mr. Kelly as follows:

"I have the honor to inform you that you are now within the limits of the colony of British Guiana and those of the district under my jurisdiction, as one of the special magistrates and superintendent of Crown lands and forests of this colony, and therefore you are outside your jurisdiction as a functionary of Venezuela. * * * Whatever notification you should make to the inhabitants will be void, and all persons residing in this or any part of this colony, or visiting it, will have to conduct themselves in accordance to its laws. I must likewise call your attention to the notifications put upon trees on the banks of this river, as also on the rivers Waini and Barima. These notifications were fixed where they are by order of the Government of British Guiana."

The 25th October, 1884, the acting secretary of the Government of British Guiana wrote the following letter to Mr. Fitzgerald:

BRITISH GUIANA, GOVERNMENT SECRETARY OFFICE,
Georgetown, Demerara, October 25, 1884.

SIR: I am directed by his excellency the governor of British Guiana to acknowledge receipt of your three letters noted in the margin with reference and transmitting documents respecting the Manoa Company and the concession made by the Venezuelan Government and to convey to you the expression of his excellency's thanks for the information and the documents supplied.

With regard to the British Guiana boundary, I am directed by his excellency to intimate to you that the Colonial Government exercise authority and jurisdiction within the limits laid down in the accompanying map, starting from the right bank of the Amacuro River, and that within these limits the Colonial Government reforce the law of British Guiana.

I am further to intimate to you that any person disregarding or acting in contravention of the laws of British Guiana within these limits will be liable to be prosecuted according to the laws of the colony.

The whole of the territory, therefore, between the Amacuro and Moruca rivers is part of the colony of British Guiana, and the Colonial Government will maintain jurisdiction over this territory and prevent the rights of Her Majesty or of the inhabitants of the colony being in any way infringed.

I have the honor to be, sir, your obedient servant,

F. GAULIS,
Acting Government Secretary.

C. C. FITZGERALD, Esq.,
Phenix Building, 16 Court Street, Brooklyn, N. Y.

I have quoted literally these passages in order to show the eagerness of the British authorities in claiming the jurisdiction in those places of Venezuela, adding to the words the facts.

160 BOUNDARIES OF BRITISH GUIANA AND VENEZUELA.

On the other side, the following paragraphs are to be found in a note sent by the British legation at Caracas, the 8th January, 1885, to the ministry of foreign affairs of Venezuela:

"In a dispatch dated London, the 28th November, I am directed by Her Majesty's Government to attract the attention of that of Venezuela to the proceedings of the agents of the Manoa Company in certain districts the sovereignty of which is equally claimed by her Majesty's Government and that of Venezuela:

"Earl Granville further instructs me to request the Venezuelan Government to take steps to prevent the agents of the Manoa Company, or of Mr. H. Gordon, who has also a concession for colonization from the Venezuelan Government, from asserting claims to or interfering with any of the territory claimed by Great Britain.

"Her Majesty's Government, in the event of that of Venezuela declining to move in this matter, would, to their great regret, feel themselves under the necessity of adopting measures for preventing the encroachment of the Manoa Company, and the governor of British Guiana would even be instructed to employ an adequate police force for the prevention of such encroachment and the maintenance of order.

"Lord Granville goes on to inform me, however, that no steps will be taken by the governor of British Guiana pending this reference to the Venezuelan Government.

"I need hardly remind your excellency that the question of the boundary of British Guiana is one of long standing, and that communications upon the subject are at the present moment taking place between Her Majesty's Government and the Venezuelan minister in London, and it is therefore all the more important that incidents calculated to cause grave inconvenience should be prevented. The territories, irrespective of those disputed by Venezuela and Great Britain, conceded to the Manoa Company are enormous in extent; but without entering into that portion of the question, I feel certain that his excellency the President of the Republic will duly appreciate the immense importance of obviating the possibility of any collision between the agents of that company and the British authorities in the territories the sovereignty of which is still a disputed question."

The 26th of the same month of January, Mr. Mansfield wrote again to the Government, informing that orders had been transmitted to the governor of British Guiana to send Mr. McTurk (stipendiary magistrate), accompanied by an adequate body of the police, for the purpose of making, in the district on the eastern bank of the river Amacuro, an inquiry into the operations of the Manoa Company, and more specially into the conduct of Mr. Robert Wells and others, who are accused of having tortured people, hanging them up for a time by their ankles, etc. The legation observed, moreover, that Mr. McTurk would proceed in accordance with the laws which are in force in the other parts of British Guiana, and called to mind that the words of the contract with the Manoa Company are textually "as far as British Guiana." In connection with this circumstance, the British minister says further that Mr. Fitzgerald has the following statement in his report on the territorial concession of the Great Delta of the Orinoco to the Manoa Company: "About 10 miles to the southwest of Punta Barima is the mouth of the river Amacuro, which in 1800 formed the frontier between British Guiana and Venezuela;" wherefrom it would appear that the place of which notice has been taken is not even claimed by the Manoa Company. Finally, it is mentioned by Mr. Mansfield that the governor of British Guiana had sent information to London that the posts erected by order of the government of said colony the 11th October, on the eastern bank of the river Amacuro and in other places to prevent the usurpation of the territory which was claimed by the British Crown, had been removed and sent to Ciudad Bolivar, as it was presumed, by order of the Government of Venezuela; and it is added that this incident might possibly become the cause of a correspondence of a character little satisfactory, if it did not lead to serious inconvenience in the future.

The passages copied and the fact narrated contain the explicit affirmation that the British authorities have executed the most solemn acts of jurisdiction in places which they at the same time declare to be a matter of dispute with Venezuela; that is to say, that they have infringed and continue to infringe the agreement proposed by Her Britannic Majesty, "neither to occupy nor to usurp the disputed territory." The infraction is so much the more serious, as violence has been used in the proceedings, just as if there never had been the slightest controversy about the dominions of those places. The Government in London has therefore shown no consideration whatever for the rights of Venezuela, but he decides quite alone upon the superiority of those alleged by Great Britain, and consequently passed on to acts of violence.

It is a not less notable circumstance that no previous steps were taken to acquaint the Government of the Republic, not even through this legation, with the motives of complaint on which the appeal to force was to be founded. Such a proceeding is in contradiction with the amity fostered so carefully by Venezuela, and intended to render still more perfect by the accreditation of a first-class representative in London. It is likewise contrary to the practice of nations, which, before making use of reprisals,

adopt measures of reconciliation and amicable intelligence, as required by the consideration to which they are entitled mutually.

Mr. Mansfield stated in a note of 8th January that the governor of British Guiana would not take any steps whilst there was pending the request made to the Government of Venezuela that the agents of the Manoa Company, or Mr. H. Gordon, should be prevented from claiming or obstructing any part of the territory claimed by Great Britain. This friendly measure would not have failed to give good results if at the same time had not been already executed the orders resolved upon by the British Government. Some days later, on the 24th January, Mr. Mansfield informed that since the 11th October, 1884, posts had been erected by order of the governor of British Guiana on the eastern bank of the river Amacuro and in other places. The 31st January the governor of the Territory Delta communicated to the executive power that an English commission had entered the mouth of the Amacuro, arrested the civil commissioner appointed there by the first authority of said Territory, and left in the place a body of police.

The assertion of Mr. Fitzgerald that in 1880 the frontier between Venezuela and British Guiana was at about 10 miles to the southeast of the river Amacura has no foundation whatever. To be convinced of it, it will be sufficient to remember that Great Britain in that year had not acquired as yet any right to the part of Guiana which was ceded by Holland, and that the river Essequibo had been the frontier between the colony belonging to the latter country and the Spanish possessions, as Venezuela always has sustained. The mistake committed by Mr. Fitzgerald certainly can not do prejudice to the rights of the Republic.

It must not be overlooked, moreover, that the grant given to this gentleman does not indicate any specified limits, only the words "as far as British Guiana" being used, as Mr. Mansfield repeats in one of the passages quoted from his correspondence. Notwithstanding all this, the operations of the Manoa Company have been made use of as a pretext for detrimental actions against the rights of Venezuela.

The circumstance that the posts have been removed which, by order of the government of British Guiana, were erected on the eastern bank of the river Amacura and in other places is nothing else than a protest against the pretensions of Great Britain; for if Great Britain believes herself to be the owner of those places, the Republic is sure that they are Venezuelan property; and if those signs had been left untouched, the object they were erected for would have been recognized, so that to-morrow the assent of Venezuela to such an arrogation of British dominion might be alleged. These signs would be proofs of the occupation of a territory which Her Majesty has engaged "not to occupy nor to usurp," by a spontaneous act of her Government, presented with much interest to be accepted by Venezuela. In the case, which is denied, that this country had committed an infraction of the same duty it had contracted, the first thing would have been to make friendly remonstrances in order to obtain redress for the fault, instead of appealing to one-sided and pressing measures that hurt the dignity of a sovereign State which sees, more than ever, threatened the integrity of its territory in one of the most important parts, viz, the great river Orinoco, which discharges into the ocean the numerous streams bathing the soil of the Republic and that of neighboring countries, and forming the principal communications, not only between the different regions of her own territory, but also between them and foreign domains the forestalling of the most splendid future in the natural progress of the young nations of America.

In the last proposition of an arrangement made by the British Government to Venezuela, it is stated that as the capital point for Venezuela was the possession of the Orinoco, a line was indicated which would begin about 29 miles to the east of the right bank of the river Barima; this line was not accepted by Venezuela, which insists upon the Essequibo being the frontier.

The Government of the Republic gave Mr. Mansfield the assurance that, in accordance with the words of the contract "as far as British Guiana," the limits of the grants did not trespass those of the disputed territory, and promised most sincerely that steps would be taken to elucidate the facts, as the Manoa Company had been accused of having transgressed those limits. Very properly the Government took advantage of this opportunity to recall the fact that on the 18th October, 1884, an English man-of-war entered the mouth of the Orinoco, arrived at the light-ship, asked for a pilot to sail upstream, but that this request was denied, the vessel not being bound for any port open to foreign commerce, as the law requires; that notwithstanding this opposition the ship went to Amacuro and on the following day to Guiana, by way of Barima, after having erected posts in all the points visited, with printed declarations of dominion, proceedings which had called most earnestly the attention of the Government, although at first they were doubted on account of the extraordinary character of the facts.

In his second note his excellency the minister of foreign affairs expressed to Mr. Mansfield the great surprise with which the federal executive had seen the contents of his note of the 26th January, both in reference to the acts attributed to Mr. Robert

Wells, as well as to the orders given to the governor of British Guiana, to send the judge, Mr. McTurk, accompanied by an adequate body of police, to make inquiries into the operations of the company on the eastern bank of the river Amacura, although it was working on territory belonging without any doubt to Venezuela. "This surprise of the Government," continues the minister, "became greater still after the receipt yesterday of a telegram from the governor of the Territory Delta by which he communicates the news that an armed force, sent by his excellency the governor of British Guiana, had penetrated into the territory of Venezuela, arrested by compulsion the commissioner at the mouth of the Amacura, and carried him off, after having left in the place a body of police. Setting aside all the other events, of which your excellency is already informed, this last one is enough for Venezuela to consider herself attacked in regard to the sacred rights of her dominion, and for her to call most earnestly your attention, that you may dictate the measures that the case calls for in order that such proceedings be repaired and everything brought back to the state in which it was before in accordance with the *statu quo* in force, which determines that neither of the two nations shall exercise jurisdiction in any part whatever of the disputed territory. This becomes the more indispensable, that negotiations are being carried on between Venezuela and Great Britain with a view to put an end to the long-standing dispute about the frontier between both. The plenipotentiary of the Republic has received instructions to press the negotiations, and these evidently would lead soon to the wished-for reconciliation if those improper proceedings were avoided, which have all the aspect of hostilities, and are in open contradiction with the respect of the principles of territorial dominion and justice that should distinguish the relations between civilized nations."

In accordance with the instructions I have received from my Government, and in consideration of what has been stated, I beg to inclose a copy of the agreement which was accepted by said Government at the request of Mr. Wilson, British chargé d'affaires in Caracas, and I respectfully ask:

1. The removal of all signs of sovereignty erected in the disputed territory by order of the governor of British Guiana.
2. The recall of all functionaries and public force which may have been stationed there.
3. Satisfactory explanations for the nonfulfillment of the proposed agreement to Venezuela by Great Britain, and for the information of the laws of the Republic in regard to ports not open to foreign vessels.
4. The annulment of the proceedings against Mr. Robert Wells, his liberty, and an indemnity for the damages resulting from his capture, imprisonment, trial, and punishment for the imputation of an act of misdemeanor on Venezuelan territory.
5. The complete reestablishment of things to the state in which they were in 1850, in which year was made the agreement referred to, and strict orders to the governor of British Guiana to faithfully observe it until the two Governments arrange the question of the frontier.

I renew, etc.,

GUZMAN BLANCO.

His Excellency Earl ROSEBURY,

H. B. M's. Principal Secretary of State for Foreign Affairs, etc.

PART III.

No. 51.

Diego B. Urbaneja to F. R. St. John.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, December 7, 1886.

SIR: In accordance with the order of the President of the Republic, as the result of the conference we held with him yesterday, I have the honor of addressing your excellency and stating in substance what he then expressed.

He said that his attention had been seriously called by the grave character of the intelligence received as to occurrences taking place, it is affirmed, in Guiana in regard to its boundary with British Guiana. He remembered the agreement concluded in 1850 by an interchange of notes between the two Governments on a spontaneous proposal of the British Government, and upon the ground of information sent from Ciudad Bolivar by Vice-Consul Mathison to Mr. Wilson, chargé d'affaires at Caracas,

respecting the transmission of orders to the authorities of the province of Guiana to put the same in a state of defense and to repair and arm the dismantled forts, and the language used by Governor José Tomás Machado as to the erection of a fort at the Barima Point; and on account also of a rumor spread to the effect that Great Britain intended to claim the province of Venezuelan Guiana. Besides giving it the lie by affirming that not only was it destitute of any foundation, but also that it was precisely the reverse of the truth, Mr. Wilson declared, in the name of his Government, that the latter had no intention to occupy, or encroach upon, the territory in dispute, and that it would not ordain or sanction such occupation or encroachments on the part of British authorities. At the same time he requested and obtained from the Government of the Republic analogous declarations. She has kept such an agreement by preserving the *statu quo*, while Great Britain has infringed it since. Besides the acts of jurisdiction consummated from 1884, it has been ascertained that she has just now in the channels formed by the rivers Amacura and Barima, about which there has been no question before, a commissary, provided with two vessels containing arms and policemen, who levies taxes and prohibits persons going there on mercantile business from carrying out their operations; that she has had built a Government house on which the British flag has been and is constantly hoisted; that a church and schoolhouses are being constructed; that in October last a small war steamer was there; that a revenue cutter often runs on the track between Amacuro and Barima, and that they have begun to form on the same spot an agricultural colony.

Even in the denied assumption that those places were a part of the disputed territory, Great Britain might not have occupied them without violating the above compact. And if, in spite of everything, she occupies them, with still greater reason they should be reoccupied by Venezuela, relieved as she is from any obligation on the ground of its infraction by the other contracting party, and being as she is fully conscious of her undebatable right of property.

The President said likewise that the concessions to the Manoa Company could not have given to Great Britain a just ground of complaint as, according to their unequivocal terms, they only extended as far as "British Guiana;" that is to say, as far as points not contentious, and moreover that the contract on the subject had expired.

On the above statement and on the strength of an application made by the British legation, with the utmost instance, in an official note to this ministry, of May 26, 1886, for the erection of a beacon at the Barima Point, thus recognizing *motu proprio* the incontestible sovereignty of Venezuela over the same, the President added that he was going to send there an engineer instructed to erect the beacon and new officers to exercise authority for the Republic in said place and in those lying between the rivers Barima and Amacuro and to notify to the foreign occupants their withdrawal from them. And he ended by saying that if the Government of Her Britannic Majesty would occupy such a point as Barima, the possession of which would render it joint proprietor of the Orinoco, and decide in this manner by itself and in its favor this, for Venezuela, the most grave question, wresting from her by force the exclusive domain of that river and presenting thus to her an indubitable *casus belli*, he should be compelled, by the requirements of patriotism and by his high duties as the guardian of the territorial integrity of Venezuela, to break up the relations between the two countries.

The President has instructed me to write this note in order that your excellency may communicate to me the information and antecedents you may know of in regard to so unheard of and almost incredible occurrences.

I renew to your excellency the assurances of my high and distinguished consideration.

DIEGO B. URBANEJA.

His Excellency F. R. ST. JOHN,
Her Britannic Majesty's Minister Resident, etc.

[Inclosure 1 in No. 51.]

Mr. Wilson to Senor Vicente Lecuna.

No. 118.]

BRITISH LEGATION,
Caracas, November 18, 1880.

SEÑOR VICENTE LECUNA,
Secretary of State for Foreign Affairs of Venezuela, etc.:

On the 3d of April last the undersigned, Her Britannic Majesty's chargé d'affaires, had the honor of showing to Mr. Fernando Olavarría, then secretary of state for foreign affairs of Venezuela, in original, a report which on the previous day the

undersigned had addressed to Her Majesty's principal secretary of state for foreign affairs, stating the character and object of a propaganda of falsehood and calumny in regard to the conduct and policy of the British Government in the boundary question between Great Britain and Venezuela; and at the same time the undersigned acquainted his lordship with the steps he had taken to contradict the rumors which were mischievously being spread in Venezuela, that Great Britain intended to claim the province of the Venezuelan Guiana.

Those steps were to assure the Venezuelan Government that all that the propaganda had divulged on this was false, and to send to the Venezuelan Government a copy of a dispatch which, on the 20th of the preceding March, he had addressed to Kenneth Mathison, British vice-consul at Bolivar, in which dispatch, after stating what the course and conduct of Her Majesty's Government in this matter had been in reality since November, 1847, he declared formally that the intentions which with the manifest purpose of serving the private interest of certain well-known individuals, and the political schemes of the propaganda had been imputed since 1843 to Her Majesty's Government, were not only wholly and absolutely destitute of the least foundation, but were precisely the reverse of the truth.

A copy and translation of that dispatch to Mr. Mathison were published by the Venezuelan Government in the Official Gazette of Venezuela No. 981; and under date of the 13th of May last Her Britannic Majesty approved of the conduct of the undersigned on this subject.

The undersigned begs to observe here that on the 5th of April he read in translation to his excellency the President the above report to his Government, the original of which, as he has already said, he had shown on the 3d of that month to Mr. Olavarria, who reads English.

On the 13th of the same month of April the undersigned thought it his duty to transmit to his Government extracts of letters which Vice-Consul Mathison addressed to him from Bolivar under date of 2d, 8th, 18th, 22d, and 30th of March, saying that orders had been communicated to the authorities of the province of Guiana to place it in a state of defense, and to repair and arm the dismantled and abandoned forts, and that Governor José Tomás Machado had spoken of raising a fort at Point Barima, the right of possession to which is in dispute between Great Britain and Venezuela.

The undersigned thought it likewise to be his duty to communicate to his Government the introduction in the House of Representatives of a bill recorded in No. 62 of the *Diario de Debates* (Journal of Debates), authorizing the executive Government to construct at once a fort on the point serving as boundary between Venezuela and British Guiana, without, however, naming this point, thus authorizing the executive Government to commit *de facto* an aggression and usurpation on the territory in dispute between the two countries, by the construction of a fort on any point which Venezuela may claim, although Great Britain may also claim the lawful possession of that point.

The tone and language employed toward Great Britain in the course of the debates on this bill, which the undersigned will not stop to characterize, left no reasonable foundation to doubt of the imminence of the danger to which British rights would be exposed in the event of the bill becoming law.

However, the undersigned made known with pleasure to his Government the friendly assurances which he received from his excellency the President, and the judicious conduct the latter observed in fact, and likewise that the bill has not yet become a law.

But in relation to the existence of a propaganda to mislead and excite public opinion in Venezuela concerning the boundary question between British Guiana and Venezuela, and the consequent possibility of aggressions and usurpations on the part of the authorities of Venezuelan Guiana on the territory in dispute between the two countries, Viscount Palmerston, under date of June 15, transmitted to the undersigned for his knowledge and guidance a letter which his lordship has addressed to the lords commissioners of the Admiralty, notifying to them the Queen's injunctions in regard to the orders to be given to the vice-admiral commanding Her Majesty's naval forces in the West Indies as to the course he is to pursue if the Venezuelan authorities construct fortifications in the territory in dispute between Great Britain and Venezuela.

The undersigned has also been instructed to call the serious attention of the President and Government of Venezuela to this question, and to declare that while on the one hand Her Majesty's Government have no intention to occupy or encroach upon the territory in dispute, on the other hand they will not see with indifference the aggressions of Venezuela upon that territory.

The undersigned has been instructed furthermore to say that under these circumstances Her Majesty's Government expect that positive instructions will be sent to the Venezuelan authorities in Guiana to refrain from taking measures which the British authorities might justly regard as aggressive; for such measures, if taken, would forcibly lead to a collision, which Her Majesty's Government would deeply regret, but

for the consequences of which, whatever they might be, Her Majesty's Government would hold the Government of Venezuela entirely responsible.

The Venezuelan Government, in justice to Great Britain, can not mistrust for a moment the sincerity of the formal declaration which is now made, in the name and by the express order of Her Majesty's Government, that Great Britain has no intention to occupy or encroach upon the territory in dispute; therefore, the Venezuelan Government, in an equal spirit of good faith and friendship, can not refuse to make a similar declaration to Her Majesty's Government, namely, that Venezuela herself has no intention to occupy or encroach upon the territory in dispute.

The systematic perseverance with which since 1843 the propaganda has fabricated and circulated false rumors in regard to the conduct and policy of Her Majesty's Government in what concerns the Venezuelan Guiana, among other mischievous effects, has produced that of serving the ends of that propaganda and keeping alive an insane spirit of distrust and puerile credulity as to all the frivolous rumors respecting this boundary question, thus exposing the amicable relations between Great Britain and Venezuela to be at any moment interrupted by a collision between both countries arising out of any sudden and perhaps unauthorized aggression on the part of the local authorities of Venezuela, whether committed by constructing forts or by occupying and encroaching upon the territory in dispute.

Her Majesty's Government, as above stated, will not order or sanction such occupations or encroachments on the part of the British authorities; and if at any time there should be any error about their determination in this respect, the undersigned is persuaded that they would willingly renew their orders on the subject; he is then satisfied that, in accordance with the friendly suggestions of Her Majesty's Government, the Government of Venezuela will not hesitate to send to the Venezuelan authorities positive orders to refrain from taking measures which the British authorities may justly consider as aggressions.

On the 14th and 15th ultimo the undersigned communicated privately to Mr. Vicente Lecuna and to his excellency the President the instructions which Viscount Palmerston had given him; and then he explained fully the friendly considerations which had prompted him not to communicate their contents to the Venezuelan Government when he received them on the 18th of last July and to continue to put off their formal communication in writing till a fitting opportunity presented itself.

It seems that both his excellency the President and Mr. Lecuna appreciated in all its value the friendliness of this proceeding.

However, being of the opinion, agreed upon in the interviews which he held with Mr. Lecuna on the 15th and 16th instant, that the opportune moment for making that communication has arrived, he has lost no time to state those instructions in this note.

The undersigned avails himself of this occasion to renew to Mr. Lecuna the assurances of his distinguished consideration.

BELFORD HINTON WILSON.

[Inclosure 2 in No. 51.]

Señor Vicente Lecuna to Mr. Wilson.

[Translation.]

REPUBLIC OF VENEZUELA, DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, December 20, 1850.

The undersigned, secretary for foreign affairs of Venezuela, has had the honor of receiving and presenting to the executive power the note of the chargé d'affaires of Her Britannic Majesty, dated on the 18th ultimo, the object of which is to contradict the rumors which have spread in Venezuela with reference to Great Britain's intention of taking possession of Venezuelan Guiana, stating the steps which he has taken to that effect and of which he has advised the Government, declaring in the name of his Government that the latter has no intention whatever of occupying or encroaching upon the territory in dispute between the two countries, and he requests a similar declaration from the Venezuelan Government asking them to instruct their authorities in Guiana not to take any measures which might be justly considered as aggressive by the British authorities, and stating the reasons that had induced him to delay making this communication.

The undersigned has been instructed by His Excellency the President of the Republic to give the following answer: The Government never could be persuaded that Great Britain, in contempt of the negotiation opened on the subject and of the alleged rights in the question of limits pending between the two countries, would want to use force in order to occupy the land that each side claims; much less after Mr. Wilson's repeated assurances, which the executive power believes to have been most

sincere, that those imputations had no foundation whatever, being on the contrary quite the reverse of the truth. Fully confident of this, and fortified by the protest embodied in the note referred to, the Government has no difficulty in declaring, as they do declare, that Venezuela has no intention of occupying or encroaching upon any portion of the territory the possession of which is in controversy; neither will she look with indifference upon a contrary proceeding on the part of Great Britain. They will furthermore instruct the authorities of Guiana to refrain from taking steps which might clash with the engagement thereby made by the Government and might give rise to fatal consequences, as Mr. Wilson affirms has been done, and in case of need will be willingly done again with regard to the authorities in British Guiana. In conclusion, I may add that the Government fully appreciates the motives which have led Mr. Wilson to abstain from at once carrying out the instructions which he has received on the subject.

The undersigned seizes this opportunity to renew to Mr. Wilson the assurances of his distinguished consideration.

VICENTE LECUNA.

To Mr. BELFORD HINTON WILSON,
Her Britannic Majesty's Chargé d'Affaires.

[Inclosure 3 in No. 51.]

Mr. Porter to Señor José E. Gallegos.

BRITISH LEGATION,
Caracas, May 26, 1836.

SIR: From a recent correspondence I have held with His Majesty's consul in Angostura, I have to request the serious attention of the Executive to a representation I am about to make relative to the more safe navigation for vessels on entering the principal mouth of the Orinoco, situated to the southwest of the island of Trinidad, being particularly induced to address the Government on the subject in consequence of the very imminent dangers vessels are exposed to, not only for want of proper land and water marks to guide them, but likewise on account of the inefficient state of the pilot establishment on the island of Pagayos, a considerable distance up the river.

In proof of the results from what I have just mentioned allow me to state that on the 7th of January last the British brig *Coriolanus*, coming from St. Thomas to Angostura, ran on shore a little to the leeward of the Grand Mouth of the Orinoco, and totally for want of a beacon to point out the proper entrance. Every effort was made on the part of the master and crew, assisted by some Indians, to get her off, but without success. She soon bilged and became a wreck. On the 29th she was totally abandoned, and on the 6th of February the captain and crew reached Angostura, when he duly reported his misfortune and the cause of it to the British consul in that city.

A second circumstance of the like nature (from similar causes) took place but a very few weeks afterwards, namely, the British vessel *The Sir Walter Scott*, bound outward, with a cargo of cattle for use of the troops in the English colonies, ran aground (and for want of a pilot) in crossing from the point of Crab Island to Cape Barima, where she remained in the greatest distress during three days. The consul, in reporting this circumstance to me, adds: "Here is an additional instance of ruinous tendency arising out of the present imbecile pilot system of the Orinoco, and although the misfortune was known at the station of the pilots in Pagayos, no assistance whatever was rendered. The vessel and cargo must have sustained considerable injury, the particulars of which I have not yet had, as the captain, the moment he got off, proceeded on his voyage." Let me here refer you for the present to the inclosed copy of a letter addressed to the governor of the Province of Guiana by the consul in illustration of the great neglect, as also disobedience to the pilot regulations.

From what I have already said it becomes my official duty to represent to the executive of this Republic the indispensable necessity (and that without further delay) of placing a conspicuous beacon on Cape Barima, the point forming the Grand Mouth of the Orinoco to the south-southeast, where, I am given to understand, it could be done with the greatest facility and to the greatest advantage. This object would effectually prove a sure mark, as also safeguard, to all vessels seeking for the proper entrance into this vast river, and it becomes the more to be required, from the great difficulty experienced by all navigators in finding the entrance, as the coast presents the same appearance for many leagues together, and at this day has not a single mark of any kind to denote it. The island of Cangregos forms the other side of the great mouth, situated at a distance of about eight leagues from the cape, to the west-northwest, whose dangerous sand banks reduce the only navigable channel to scarcely 3 miles in

width, which commences on passing the bar (just without Cape Barima), soon becoming difficult and intricate, particularly so after ascending for about three leagues, where the channel frequently changes its course on account of the shifting sands. In fact, it can not be denied but that the whole navigation up to island Pagayos (eleven leagues from the cape) is extremely dangerous and uncertain, requiring to be well surveyed and carefully sounded by some one thoroughly acquainted with that part of the Orinoco and its probable casualties. Buoys ought to be forthwith laid down at those particular points which either mark the channel or show where sand banks or sunken rocks lay, both being numerous, impeding the navigation and increasing the dangers of the river to the great risk of lives and property.

The next subject of my representation regards the actual, and I may say almost useless, system of the Orinoco pilotage. I am well aware that a pilot boat was intended to have gone out every day from Point Barima to cruise for vessels bearing toward the entrance of the river, but a shameful want of proper arrangement, attended by neglect, rendered abortive this wise and well-intended plan on the part of the department of marine; and it does not exist at this day. The only pilot station on the Orinoco is at the island of Pagayos, forty miles distant from the entrance at the great mouth of the river, and it appears very clear that great difficulties and perils must be encountered in reaching it.

From the amicable bearing at all times manifested by this Government in its foreign relations, not only political but commercial, assures me that it is vividly alive at all times to whatever may either augment that friendly feeling or increase the mercantile prosperity of the country. Under this firm belief, as well as from a sense of my duties in watching over that of my own country, I therefore seize the present occasion in endeavoring to impress on the Executive the imperious necessity of promptly taking stable and energetic measures in the regulation of that which is of such vital importance to the growing trade of Angostura, whose increase or diminution can not but very materially affect that of the whole of the neighboring provinces of the Republic and consequently influence the public revenue. Allow me to add (as materially connected with the subject in question), being a well-known fact, that not only in England, but in many of her colonies, the merchants are afraid to speculate, or even send their vessels to the Orinoco, in consequence of the dangers to which both property and life is exposed from the causes I have already set forth, thus corroborating what I have stated, touching the total abandonment in which the navigation of the Orinoco at present is left. Indeed, so deep is the impression of risk on the British mercantile mind that at Lloyds in London no insurance can be effected to that river without a very considerable advance on the premium, and in many places not at all.

His Majesty's consul at Angostura (as the preceding inclosure would show you) found it his indispensable duty to call the observance of the governor of the province of Guiana to the subject I now write upon, under the full hope that he might be able by his authority and remonstrances to check in future the pursuance on the Orinoco of a system truly prejudicial to the interests of individuals as well as to the general commerce. I have had the honor of just laying before you that gentleman's officio to the governor, which, together with his answer, as also other documents connected with the present representation, were forwarded to me, mentioning at the same time that such had duly been sent officially to this Government for its knowledge and guidance. These papers I can not doubt will further show the Executive how absolutely useless the present pilot establishment is on the Island of Pagayos, being rather detrimental than advantageous to the intent and views of the legislature; hence demanding a most radical reform in some way or other.

Before I close this dispatch I must once more repeat my solicitude that the minister of the marine be directed to investigate and correct the abuses which have frustrated the good intent of the Government and that department, and likewise that he be directed to attend to the recommendation I now have the honor of making, by placing a proper beacon on the Barima Cape, as also the appropriate buoys in the Orinoco for the safer navigation of it, so that I may be enabled in a very short time (and I trust the urgency will be seen) to have the satisfaction of officially communicating to His Majesty's principal secretary of state for foreign affairs (for the information of the merchants interested at Lloyd's) the measures that have been taken by this Government rendering the great entrance to the Orinoco perfectly perceptible, as also the navigation of the river up to Angostura perfectly safe.

I have the honor to remain, sir, with the highest consideration, your most obedient, humble servant,

ROBT. KER PORTER.

The Honorable Señor JOSÉ E. GALLEGOS, etc.

No. 52.

*F. R. St. John to Diego B. Urbaneja.*BRITISH LEGATION,
Caracas, December 9, 1886.

SEÑOR MINISTRO: I have had honor to receive your excellency's note of the 7th instant, in which, by order of the President, you record that which in substance was stated by his excellency, at our interview of the 6th instant, on the Guiana frontier question, and in which you invite me to furnish you with any information I possessed in regard to certain alleged proceedings on the part of the British authorities in Guiana.

I beg to state in reply that the President having declined, before resorting to the occupation of a part of the disputed territory, to await the result of my reference of his intention to Her Majesty's Government, I fail to see how compliance with your excellency's request or continuance of the discussion by me can now answer any useful purpose.

But I must, nevertheless, in order to avoid error, remark on two points treated in your note—firstly, that the territory lying between the rivers Barima and Amacuro, which is affirmed by your excellency to be only now claimed by Her Majesty's Government, was already mentioned in Lord Aberdeen's note of March 30, 1844, to Señor Fortique as forming part of British Guiana; and, secondly, that the request of the 26th of May, 1836, by the British agent at Caracas to the Venezuelan Government that they should erect a light-house at Barima Point appears from my thorough search in the archives of this legation to have been addressed to the Venezuelan Government without any knowledge or authority of the British Government, to whom it was never even reported by the agent, and to have been made solely at the suggestion of certain merchants of Ciudad Bolívar who were interested in the removal of danger in the navigation of the Orinoco River.

If your excellency will be good enough to refer to a communication made on the 26th of September, 1851, by this legation to the Venezuelan Government by order of Her Majesty's Government, you will find it there stated, with reference to another subject, that such a doctrine as that a government is bound by every act or word of its diplomatic agent is entirely at variance with international law, it being perfectly well known that even a formal treaty concluded and signed by a plenipotentiary is not valid unless it shall have been duly ratified by the government of such plenipotentiary.

I avail myself of this opportunity to renew to your excellency the assurances of my highest consideration.

F. R. ST. JOHN.

His Excellency Dr. DIEGO B. URBANEJA, etc.

No. 53.

*Diego B. Urbaneja to F. R. St. John.*DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, January 8, 1887.

SIR: I have had the honor of receiving your excellency's note, dated on the 9th of last month, in answer to the request made by the Government to your legation to kindly furnish them with any information and antecedents you might possess on certain acts of British authorities.

The President of the Republic, to whom I read said answer, has instructed me to say to your excellency that he deeply regrets that the friendly spirit which moved him to apprise your excellency of the news he received and of his intention to send out an engineer and new officials to Barima, Amacura, and other places, should have been ineffectual. Your excellency refuses to give an explanation which might, perhaps, have modified that purpose, either in its principle or in the time of its execution, for which reason his excellency has instructed me to say here that at all times the interview held on the 6th ultimo, at his own request, and the note sent to your excellency by this department, in which all that took place in said interview is summarily stated, will be a proof of the loyal frankness and of the conciliatory wishes in this matter of the chief of the Venezuelan nation.

I would confine myself on this occasion to the preceding statement, if your excellency had not added two remarks, notwithstanding your declaration not to accede to what had been requested from you, nor to continue the discussion on your side, because those two remarks call for an explanation.

In the first place your excellency contradicts my assertion regarding the territory situated between rivers Barima and Amacuro, alleging that this territory had already been mentioned in Lord Aberdeen's note of the 30th of March, 1844, to Mr. Fortique, as a part of British Guiana.

Venezuela has never admitted, neither will she ever admit, that Dutch Guiana bounds upon the Orinoco; and this is proved by the text of the note with which Mr. Fortique opened the negotiation on limits, by the previous ones in which he demanded the removal of the flags, posts, and marks placed at Barima and other places by Engineer Schomburgk in 1841, and by the conferences he held on the subject with their excellencies the ministers of foreign affairs and of the colonies. It was precisely the placing of these marks of foreign dominion at the places mentioned, to which Great Britain had no right, that created such a sensation in Venezuela, and caused the sending of Messrs. Lic. José Santiago Rodríguez and Juan José Romero to Demerara, in the character of commissioners, to demand an explanation of those surprising facts. In a note dated 11th of December, 1841, Lord Aberdeen wrote to Mr. Fortique that the marks had been placed as a means of preparation by his Government for the discussion of the boundary question with the Government of Venezuela; that they were placed precisely with this object and not, as Venezuela seemed to fear it, with the intention of indicating dominion or empire on the part of Great Britain. Lord Aberdeen added that he had learned with pleasure that the two commissioners sent by the Republic had been able to ascertain, through the information given them by the governor of said colony, that Point Barima had not been occupied by the English authorities.

The usurpations which Spain made legal by the Münster treaty were those concerning the colonies of Essequibo, Demerara, Berbice, and Surinam, and was afterwards confirmed by the extradition treaty made at Aranjuez, in which your excellency may see that the Dutch colonies of Essequibo, Demerara, Berbice, and Surinam, together with Curaçao and St. Eustace, are mentioned in juxtaposition with the Spanish colonies of the Orinoco, Coro, and Puerto Rico. Of these colonies the Netherlands transferred to His Britannic Majesty by the London treaty of 13th of August, 1814, those of Essequibo, Demerara, and Berbice. Whence comes, then, the right of England over the Spanish colonies of the Orinoco?

The second remark made by your excellency is to the effect that the British agent in Caracas, that is, Sir Robert Ker Porter, who, in 1836, was the British chargé d'affaires in this Republic, requested from this Government the erection of a light-house at Point Barima, without the knowledge or the consent of his Government; and your excellency adds, quoting a note from the British legation to this department, dated on the 26th of September, 1851, that the doctrine that all acts or words of a diplomatic agent bind his Government, is incompatible with international law, it being a well-known fact that not even a treaty made by a plenipotentiary is valid unless ratified by his Government.

On those points the President has instructed me to state that the Government of Venezuela can not admit that after the long period of fifty years has elapsed since the date of Sir Robert's communication, the British Government, having been informed by him or his successors of the step he took, should not have apprised that of Venezuela of the lack of authorization which your excellency, on account of what has happened, communicates to-day for the first time, after fifty years have elapsed, and which nothing could make this Government presume upon.

I beg to renew to your excellency the assurances of my distinguished consideration.

DIEGO B. URBANEJA.

To His Excellency F. R. ST. JOHN,
H. B. M. Minister Resident, etc.

No. 54.

F. R. St. John to Diego B. Urbaneja.

BRITISH LEGATION,
Caracas, January 19, 1887.

SEÑOR MINISTRO: I have the honor to acknowledge the receipt of your excellency's note of the 8th instant on the subject of my interview of the 6th ultimo with the President of the Republic, and must express to you my astonishment at one of the statements it contains, namely, that it was owing to my neglect to furnish explanations regarding certain alleged proceedings on the part of British authorities in Guiana and my refusal to enter upon a discussion of the question generally that the President was induced to persist in his intention to occupy Barima Point by erecting there a light-house.

Permit me, sir, to state briefly my recollections of the main features of the interview in question.

The President commenced by saying he had received news of the gravest kind that British authorities were in actual occupation of the territory lying between the Barima and Amacura rivers, territory which his excellency alleged—and I denied—belonged to Venezuela and had never been disputed, and he asked me to explain such conduct. To this I replied that I was unable to do so for the reason that I had until that moment not heard a single word on the subject of the alleged occupation, and I suggested that perhaps there might have been one of the usual police expeditions in pursuit of criminals.

His excellency then proceeded to inform me that he intended immediately to occupy Barima Point by erecting there a light-house, and he should, he continued, instantly break off relations with Great Britain if opposed.

Your excellency will doubtless recollect that at this stage of the interview I ventured to remonstrate with the President on his determination to precipitate matters, and I asked for time in order to communicate by telegraph with Her Majesty's Government and await an answer. But his excellency refused, on the ground, he said, that he had determined to bring this long-pending question at once to an issue; and on my asking at the termination of the interview if he authorized me to telegraph to Her Majesty's Government in the sense of what he had just stated, his excellency answered in the affirmative.

Your excellency will also recollect that on the following day I called at the department, where I was received by yourself and Señor Seijas; that I besought you to speak with the President and induce him to reconsider his decision, offering to keep back for twenty-four hours my telegram to Her Majesty's Government, which I did accordingly, but to no purpose, and so my message to England was at last dispatched.

I trust your excellency will now perceive not only how impossible it was to supply the information asked for, but how difficult it would have been for me, consistently with my duties, to have entered, unauthorized by my Government, upon a discussion of a question the aspect of which has so entirely changed by this new and unexpected resolve on the part of the President of the Republic.

I avail myself of this opportunity to renew to your excellency the assurances of my highest consideration.

F. R. ST. JOHN.

P. S.—Your excellency mentions in the second paragraph of your note under acknowledgment the sending of new functionaries to Barima, etc. I shall be obliged if your excellency will inform me when such functionaries were sent there on former occasions and how long they remained.

F. R. ST. J.

His Excellency Dr. DIEGO B. URBANEJA, etc.

[Inclosure* in No. 55.]

Report of the commissioners to Barima and other points.

[Translation.]

CARACAS, January 15, 1887.

TO THE MINISTER OF FOREIGN AFFAIRS:

In fulfillment of the commission which on the 8th of the past month the President of the Republic was pleased to intrust to me through you, I sailed from the harbor of La Guayra on the man-of-war *Centenario* for Barcelona.

The next morning at 8 o'clock I touched at this port simply with the object of delivering to the commander of the garrison the equipments sent to him by the minister of war, and at 10 o'clock proceeded on my journey toward Trinidad.

On the 16th, at 2 o'clock in the afternoon, we cast anchor in port of Spain, and, together with the Venezuelan consul there, I immediately proceeded to take in the provisions of coal and oil that were needed in the ship and to get a pilot for the navigation of the Orinoco.

At midnight we sailed for Bolivar through branch Macareo.

I arrived in Ciudad Bolivar on the 19th at 5 o'clock in the afternoon, and without loss of time proceeded to communicate with Mr. Juan Bautista Dalla-Costa and Gen-

* These documents, pages to , being the report of Eng'r Dr. Jesus Muñoz Tebar and General Santiago Rodil, as commissioners to Barima and other points, are accompaniments to a note from Diego B. Urbaneja to F. R. St. John, dated January 26, 1887.—[Editor.]

eral Santiago Rodil, in order to form the commission in accordance with the instructions I had received.

The 20th, 21st, and 22d days of the month I spent in Bolivar in conference with the aforesaid gentlemen and in collecting information, obtaining plans, and taking note of the persons practically acquainted with the places that were to be surveyed.

Two acts signed by the three members of the commission were drawn and may be seen in the procès verbal annexed to the present note.

On the 22d, at 6 o'clock in the evening, the river steamer *Libertad*, which, by order of the minister of war had been placed at the disposal of the commissioners, sailed from said city, with instructions to wait for orders at Curiapo.

General Santiago Rodil and I sailed in the morning of the 23d, at half past 6, on board the *Centenario*, Mr. Dalla-Costa having excused himself from accompanying us on account of ill health.

On arriving at Curiapo the next day, the 24th, at a quarter past 1 in the morning, the commissioners went on board the *Libertad*. The *Centenario* was instructed to go and cast anchor at Point Barima and wait there, while at the same time the *Libertad* sailed toward the mouth of river Amacura in order to enter it.

We entered this river at half past 12 in the afternoon and sailed up to a settlement which has been formed on both banks of it, not very far from the mouth.

The commissioners took depositions from several inhabitants, from which it may be seen that the English have fixed upon the right bank of this river Amacura as their limit with Venezuela, and that they exercise authority on said bank, where the commissioners found two English constables and a wooden house with a thatched roof erected by the Government of British Guiana to serve as a public office. All this is mentioned in the acts drawn by the commissioners on the spot.

On the following day, the 25th of December, we left river Amacura, heading for branch Barima.

Before I continue this report, and for the better understanding of what I shall state therein, allow me, Mr. Minister, to point out an error existing in Codazzi's map of Venezuela, which he doubtlessly copied from maps which had been previously published, and others have copied from him.

A large portion (50 miles from the mouth toward the east) of what is shown under the name of river Barima on the aforesaid map of Codazzi, together with what is called therein branch Morajuna (which is only 5 miles long), forms a branch of the Orinoco towards the east, on its right bank similar to branch Macareo poured by the great river on its left bank toward the north. I call, then, branch Barima that fluvial portion which is one of the mouths through which the Orinoco pours its waters into the ocean; and Barima Island, formed by that branch and the sea, is one of those that constitute the immense delta of the grand river, which embraces the space comprised between the mouth of river Waini and the mouth of branch Vagré.

The real river Barima, which has its source at the foot of the Imataca hills on their eastern side and runs in a great measure from the west to the east, turns then to the north and joins river Aruca, and the waters of both proceed to pour into the aforesaid branch Barima.

This branch Barima is very broad, clean, has not very large turnings, and mostly all of it has a depth of more than 20 meters.

I only saw three farms or conucos on this branch.

We entered river Aruca at half past 3, and an hour after we cast anchor opposite to the settlement which has been formed on both banks of this river. This settlement is the most considerable one which we noticed in all that territory, having a population of more than 200 souls.

The government of the neighboring English colony exercises authority there through a rural constable, who collects taxes, and prohibits the commerce of rum and tobacco, as is stated in the act drawn by the commissioners on the spot.

We left Aruca at 6 o'clock in the evening, in order to pass the night at anchor at the mouth of Branch Morajuna, which we entered the next day, the 26th, at a quarter past 5 in the morning, going over it in one hour, until we reached the great mouth of the river Waini; immediately continuing to go up said river, which is of the utmost importance, until half past 2 in the afternoon, when we arrived at a place called Cucurital, where there are two Venezuelan conucos (farms).

At a quarter to 4 we resumed our journey up the river, and at half past 4 passed before the mouth of Branch Paramán, which on the east pours into river Moroco.

I call special attention to this branch, as it is through it that commerce is carried on between Demerara and the settlements which had been visited previously.

We sailed until 7 o'clock in the evening, at which hour, it being very dark, we made fast to the shore, to continue our journey next day.

On the 27th, at 5.30 in the morning, the journey up the Waini was resumed until 7 in the morning, at which hour we arrived before the settlement called Cuabana, composed altogether of Guaiaca Indians. This settlement may have about 80 inhabitants, who live in ten ranches, governed by a Protestant missionary, who has erected

there a hut to serve as a church and at the same time as a school. The commissioners drew an act at this place in which are mentioned all the circumstances which have been observed in regard to the matter intrusted to them.

As stated in the annexed *procès-verbal*, the commissioners at all these settlements publicly proclaimed that all those territories belong to Venezuela and not to Her Britannic Majesty, and protested against all acts of authority exercised by the government of the neighboring colony, they being acts of obvious usurpation.

The commissioners, on returning to Point Barima, stopped at the settlement of Morajuana, which is composed of nine ranches, giving shelter to 60 inhabitants.

At all the settlements mentioned the commissioners appointed police commissaries to represent there the authority of Venezuela.

The morning of the 29th was employed in going down to Point Barima, in order to survey the spot where the light-house is to be erected, at which spot the crew of the *Centenario* had already spent two days in clearing the woods, according to my instructions, to facilitate said survey.

On the preceding night the steamer *Libertad* had been sent back to Bolivar, and at 9 o'clock in the morning of the 29th the commissioners sailed for Georgetown on board the steamer *Centenario*.

On the 31st of December, at 2.30 o'clock in the afternoon, we cast anchor in the river Demerara off Georgetown.

On the following day, the first of the year 1887, the commissioners addressed to the Venezuelan consul in Demerara the note, copy of which will be found in the annexed *procès-verbal*, for him to communicate it integrally to the governor of the colony.

The present consul, Mr. Andrade, had not yet received his exequatur as such, and it was necessary to take some preliminary steps to have the government of the colony recognize him provisionally as consul, to enable him to transmit the note of the commissioners.

On the 7th of January, Mr. Andrade delivered to the commissioners the answer of the Government of British Guiana, the original of which is joined to the annexed *procès-verbal*.

Having received this conclusive answer from the governor of Demerara, in which it is stated that Her Britannic Majesty's Government has declared as part of the territory of British Guiana all of the extensive territory comprised within the fanciful boundaries marked out by Schomburgk as well as the Essequibo, which is by right the frontier of Venezuela, the commissioners considered their work at an end, as with this last step they had carried out all the instructions which were communicated to me on the 8th of December last, by the department in your charge.

On the 8th of January, at 11 o'clock in the morning, we sailed from Demerara, and at 6.30 in the morning we arrived in Port-of-Spain, where the commissioner, General Rodil, went on board the *Bermúdez* in order to return to Bolivar.

On the following day, the 11th of January, at 12.30 in the afternoon, we sailed from Port-of-Spain, and on the 13th, at 2.30 in the morning, we cast anchor in the harbor of La Guayra.

For the better understanding by the Government in the reading of this report and the annexed *procès-verbal*, I subjoin also a map which I have drawn of the oriental part of Venezuela.

I trust that the illustrious American, President of the Republic, and the minister of foreign affairs will notice that I have spared no efforts to carry out in the best possible manner the delicate and thereby most honorable commission that was intrusted to me.

I am, Mr. Minister, your most obedient servant,

JESUS MUNOZ TEBAR.

ACT NO. 1. Doctor Jesus Muñoz Tebar, and Messrs. Juan Bautista Dalla-Costa and Santiago Rodil, having assembled at Ciudad Bolívar at 8 o'clock in the morning of the 20th of December, in the year one thousand eight hundred and eighty-six, the first named handed to the second and the third, respectively, the notes sent to them by the minister of foreign affairs dated on the 8th of this month, by which they were appointed commissioners at Amacura and Barima, together with the first named.

Doctor Muñoz Tebar then proceeded to read the instructions given him by the minister of foreign affairs on the same date, to wit, the 8th of this month, and also communicated the verbal instructions which he had received from the President of the Republic in a conference held on the 7th.

Mr. Juan Bautista Dalla-Costa then stated that on account of the serious alteration of his health it was impossible for him to accept an active part in the commission; but he would transmit to the other two commissioners all his opinions and information on the subject.

Mr. Santiago Rodil stated that he accepted the commission and in consequence took before Doctor Muñoz Tebar, delegated to that effect by the minister of foreign affairs,

the legal oath to faithfully and exactly obey the constitution and laws of the Republic and fulfill the special duties of this commission.

Another meeting was decided upon for that same day at 2 o'clock in the afternoon, when the several maps and plans of the places to which the commission refers will be laid before the commissioners, and to which Captain Ricci will be invited to attend, he being practically acquainted with the navigation of said places and possessing special information in the matter to which the commission refers.

And the meeting was adjourned.

JESUS MUNOZ TEBAR.
JUAN BAUTISTA DALLA-COSTA.
SANTIAGO RODIL.

ACT No. 2. Doctor Jesus Muñoz Tebar, and Messrs. Juan Bautista Dalla-Costa and Santiago Rodil, having assembled at Ciudad Bolívar at 2 o'clock in the afternoon of the 20th day of December, 1886, and Capt. Antonio Ricci being also present, they proceeded to examine and study the several plans of the mouth of the River Orinoco, in order to agree upon the best plan of operations that the commissioners should adopt in order to carry out their instructions.

It was decided to take the small steamer *Libertad* to accompany the national steamer *Centenario*, which has come under the orders of the commissioners, and to proceed with both vessels to the great mouth of the Orinoco, carrying Captain Ricci on board; to anchor the steamer *Centenario* at Point Barima; to go up the Amacuro River on the *Libertad*, then return to Point Barima, and land there in order to make the surveys necessary for the erection of the light-house; then to enter the mouth of the Barima, still on the *Libertad*, and come out through that of the Waini, passing through branch Morajuana. The steamer *Centenario* will wait at the mouth of the Waini; then to go up the Waini and return in order to proceed on the *Centenario* to Georgetown, Demerara, there to obtain the last information and documents that the commissioners propose to procure.

Mr. Juan Bautista Dalla-Costa then stated that he thought it was of the utmost importance for the future decisions to be taken by the Government of Venezuela, by virtue of the facts that the commission has to investigate, to find out with the greatest precision the places where the present developments of gold mines are taking place, which have been authorized by the Government of British Guiana, as he thinks that they are being carried on on Venezuelan territory, and, as the commissioners are going to Demerara, where their duties will end, he thinks they should avail themselves of the fact of their having gone that far for at least two of the commissioners to proceed to the spot where the gold mines are being worked, as it is said, between rivers Cuyuni and Puruni, which was approved by the commissioners.

And the meeting was adjourned.

JESUS MUNOZ TEBAR.
JUAN BAUTISTA DALLA-COSTA.
SANTIAGO RODIL.

At the last minute Capt. A. Ricci asked to be excused from accompanying the commissioners.

JESUS MUNOZ TEBAR.
RODIL.

UNITED STATES OF VENEZUELA, NATIONAL COMMISSION.

ACT No. 3. The commissioner sent by the national Government to Amacura, Barima, and other places, according to a resolution of the department of foreign affairs of the 8th of this month, sitting on the 24th of December, 1886, at the settlement of Amacura, at 1 o'clock p. m., have decided to summon citizens Roberto Wells, Alfonso Figueredo, N. N. Morgado, and Aniceto Ramones, with the object of taking their depositions on matters regarding the object of the commission.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 4. Immediately thereupon citizen Roberto Wells, a commissary of this settlement, appeared, and after being informed of the object for which he was summoned he swore to tell the truth, and declared: That it is true that in the month of January, 1884, he was arrested at this same settlement by a Mr. McTurk, who stated that he was a magistrate of the neighboring English colony; that he was taken to the Georgetown, Demerara, gaol, where he remained two months while being tried by the tribunals of justice of said colony; that in order to recover his liberty he had to pay the sum of \$25 in which he was fined; that it is true that there are on the eastern branch of the Amacura, at this same settlement, two persons called

Francis Nunez and George Jeffries, who style themselves constables, appointed by the government of the neighboring English colony; that they have erected a wooden house which serves as a public office; that the month before last an English magistrate, accompanied by several armed policemen, came to this settlement on board a revenue cutter flying the English flag, and exercised acts of authority in said house or public office, over which the English flag was likewise hoisted. This deposition was read to him, and he declared it to be correct, and he does not sign it because he does not know how, citizen Ernesto Courlaender, captain of the national steamer *Libertad*, doing so for him and at his request.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

By request of Roberto Wells,

E. COURLAENDER.

Immediately thereupon citizen Aniceto Ramones, a sailor on the rivers Orinoco, Amacura, Barima, and Waini, appeared, and after being informed of the object for which he was summoned he took the oath in the form prescribed by law and stated that it is true there is a schooner called the *Transfer* which serves as a revenue cutter for the government of British Guiana, and that said schooner has come to this settlement on various occasions bringing on board an English magistrate and armed policemen with the special object of trying, judging, and deciding upon criminal and police cases, which acts he exercises as an English authority, in a wooden house with a thatched roof, which serves as a public office and is situated upon the eastern bank of river Amacura, at this same settlement and over which the English flag is hoisted; that whenever his sloop *Joven Modesta* comes in a police constable, who claims to have been appointed by the government of the colony in Georgetown, Demerara, comes on board to search the vessel and prohibits him from selling the merchandise which has been lawfully dispatched by the custom-house at Ciudad Bolivar; that the same prohibition exists at river Barima, for which reason he has to leave his cargo on the west shore of river Amacura, as he is not allowed to sail to branch and river Barima except in ballast; that in order to allow him to trade on the right bank of the Amacura and on river Barima he is required to take out a license in the city of Georgetown; that he knows also that citizen Roberto Wells, a Venezuelan commissary, was arrested at this same settlement and taken to the Georgetown jail by an English magistrate, who came expressly from that city to arrest him. This deposition having been read to him he declared it to be correct, and signs it with us.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.
ANICETO RAMONES.

Next appeared a citizen who gave his name as Alfonso Figueredo, a Venezuelan of the settlement of Amacura, who, being informed of the object for which he was summoned, took the oath prescribed by law and stated that it is true that in the month of June of the present year the English authorities erected a wooden house with a thatched roof on the eastern bank of the river Amacura at this same settlement, to serve as a public office; that it is true that the government of the English colony in Georgetown, Demerara, appointed to be constables on the eastern bank of the Amacura Francis Nunez and George Jeffrie, who exercise authority in this capacity; that said constables levy taxes upon licenses, without which they do not allow trade; that it is true that an English revenue-cutter has come from Georgetown carrying on board an English magistrate accompanied by armed policemen. This deposition having been read to him, he declared it to be correct and signs it with us.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.
ALFONSO FIGUEREDO.

We certify that citizen N. N. Morgado has not deposed, it having been impossible to summon him.

MUNOZ TEBAR.
RODIL.

ACT No. 5. On the same date the commissioners decided to remove to the eastern bank of the river Amacura in order to ascertain for themselves the existence of the house which the witnesses Wells, Ramones, and Figueredo had declared to have been erected to serve as a public office by the English authorities of the neighboring colony, and to ascertain if Francis Nunez and George Jeffrie had really been appointed police constables by the government of Georgetown. Having done so, the commissioners found that a wooden house does really exist, which was erected by order and at the expense of the government of the neighboring English colony, and

that two individuals, subjects of Her Britannic Majesty, called Francis Stephen Neame and George Benjamin Jeffry (not Nunez and Jeffrie, as stated in the depositions of the witnesses) are in reality the police constables who have been appointed by a magistrate of the English colonial government, who, in consequence of our requisition, presented to us their credentials, which are of the following tenor:

BRITISH GUIANA—PRECEPT—THE RURAL CONSTABLES ORDINANCE, 1884.

To Francis Stephen Neame, of Amacura River, British Guiana:

I, Michael McTurk, one of Her Majesty's stipendiary magistrates in and for the colony of British Guiana, do, under the power and authority in me vested by the rural constables ordinance, 1884, hereby appoint you, Francis Stephen Neame, to be a rural constable, and I do issue to you (being duly qualified under the said ordinance to be so appointed) this precept authorizing you to act as a rural constable in British Guiana.

Given under my hand this 6th day of September, 1886.

MICHAEL MCTURK,
Stipendiary Magistrate.

The commissioners being desirous of obtaining a written answer in fulfillment of the orders of the minister of foreign affairs, decided to address to the aforesaid Neame and Jeffry the following official note, to which was annexed the corresponding English translation:

UNITED STATES OF VENEZUELA,
Amacura, December 24, 1886.

Messrs. FRANCIS NEAME and GEORGE JEFFRY:

The undersigned having been commissioned by the President of the Republic to reorganize the commissary ships in the districts of Amacura, Barima, and Waini, which form a part of the Territory Delta, have been surprised with the news that you are exercising authority in this place by order and as the representatives of the government of the neighboring colony of British Guiana.

The territory comprised between the rivers Amacura and Waini is Venezuelan and has never been considered under dispute with England, and therefore the action of appointing at these places official agents of the English colony is one of obvious usurpation, against which we protest in the name of the Government of Venezuela.

We hope that you will kindly inform us by what authority you have been appointed and from what date, and if you have received orders to oppose the Venezuelan authorities from exercising office in these territories.

We are your obedient servants,

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

To this note the aforesaid Neame and Jeffry returned answer, the original of which is annexed, marked by the letter A, and is as follows:

AMACURA RIVER, BRITISH GUIANA,
December 24, 1886.

GENTLEMEN: The undersigned have received the official note dated the 24th of December, 1886, requesting us to answer you about our appointment by the English government of Georgetown, Demerara, and we have the honor to tell you in reality we have been appointed by Mr. Michael McTurk, one of Her Majesty's stipendiary magistrates, in and for the colony of British Guiana, to be a rural constable in British Guiana, as you have seen it in the precept signed by said Michael McTurk, which we have shown to you. We also inform you that the undersigned Francis Stephen Neame has been acting as rural constable since the 1st of March, 1885, and the undersigned George Benjamin Jeffry has been appointed acting as rural constable since the 6th of September, 1886, constables in Amacura River.

We have not received instructions to interfere with the Venezuelan authorities on the left shore and going down the Amacura River, but we have authority to prevent any Venezuelan craft from selling rum or any spirituous liquor under British territories, in which case any ship selling rum without a proper license given by our Government may be seized at any time.

We remain, gentlemen, your obedient servants,

FRANCIS STEPHEN NEAME.
G. B. JEFFRY.

Mr. Dr. J. MUNOZ TEBAR and SANTIAGO RODIL.

In view of this answer and in fulfillment of one of the instructions received, the commissioners made a public declaration before the inhabitants of this settlement, that the sovereign of these territories is Venezuela, and not Her British Majesty.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 6. To-day, the 25th day of December, 1886, the commissioners, having resolved on proceeding to Branch and River Barima in fulfillment of their instructions, ratified the appointment as police commissary of the western bank of the Amacura of citizen Roberto Wells, who for the past two years has filled this office to the satisfaction of the Government of Venezuela, and appointed citizen Alfonso Figueredo police commissary of the eastern bank of said river, issuing to both of them the respective commissions.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 7. At a sitting on the same date and on board the national steamer *Centenario*, anchored off Point Barima, the commissioners decided to appoint citizen Leon Silva as commissary in the settlements lying on the northern bank of branch Barima and citizen Pedro Farrera as commissary in the settlements lying on the southern bank of the aforesaid branch Barima, to both of whom the respective commissions were issued.

Immediately thereupon the commissioners decided to remove to the national steamer *Libertad* in order to explore branch Barima and enter the Aruca River.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 8. On the same day, the 25th of December, 1886, at 5 o'clock p. m., the commissioners held another sitting at the settlement of Aruca, lying on both banks of the river of the same name, and having been informed that there was at that place a police constable appointed by authority of the government of the neighboring English colony, the commissioners had him looked for. An inhabitant, Alexander Orderson by name, informed them that there is in fact at the settlement of Aruca an individual by the name of Harrington, who exercises authority as police constable, and was appointed by E. F. Jm. Thurn, who is a justice of the peace at Macarena, on the river Pomaron, but that at present the aforesaid Harrington is absent in Georgetown; that he has been in office for the past three months, at which time the murder of a coolie (a native of Hindoostan), took place; that the justice of the peace, Mr. Jm. Thurn, came there expressly to try the murderer (an Indian called Samuel), and eventually took him to Georgetown, where he was sentenced by the courts of justice to five years' imprisonment in the gaol of the Mazaruni.

In answer to a question of the commissioners as to whether the inhabitants did not know that these territories belonged to Venezuela, Mr. Orderson said that up to the time that several American gentlemen of the Manoa Company came there, all the inhabitants considered themselves in this place as upon Venezuelan territory; that after that time agents of the government of the neighboring English colony had informed them that this colony belongs to Her British Majesty; that he had mercantile relations on the Orinoco, but that the English authorities had prohibited the bringing of merchandise from Venezuela for selling, especially rum and tobacco. This same information was confirmed by the inhabitants, Pascual Moreno, Edward Harding, and William Peters.

On account of its being a holiday the inhabitants of the place had met in large numbers at the house of Mr. Orderson, and the commissioners availed themselves of this circumstance to notify them that Venezuela is the sovereign of the whole of this territory, and not Her Britannic Majesty, and that in consequence the government of the English colony had no right whatever to exercise acts of authority therein, the commissioners protesting against such acts in the name of the Government of Venezuela.

The commissioners then issued a warrant, appointing citizen José Pascual Moreno commissary in the settlement of Aruca on both banks of the river of this same name.

The commissioners certify that at this settlement there is no public building erected by the English Government.

The commissioners then decided to return to the mouth of branch Morajuana, in order to continue their journey next day through this branch to river Waini.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 9. The commissioners spent the next day in passing branch Morajuana, which they entered at 5 o'clock in the morning, and in going up the river Waini,

passing by the settlements of Cucurital and the mouth of river Paramán in search of the village of Huapana, where it is said there are a church and a schoolhouse, established there by the English authorities, which, however, could not be reached, although sailing until 7 o'clock in the evening, at which hour the steamer *Libertad* was made fast to the bank of said river Waini to wait for the next day.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 10. To-day, the 27th of December, 1886, the commissioners held a meeting at the village of Cuabana, lying on the right bank of the river Waini, where there is a hut with a thatched roof, which serves as a Protestant church and at the same time as a public school.

The English Government has no police constable in this village, but Jacobus Ingles said that there is one, appointed by said Government, at a village called Guaramuri, lying on the banks of river Moroco.

The commissioners declare that all the inhabitants of the village of Cuabana are Guaica Indians, who preserve their own language.

The undersigned informed the master, Jacobus Ingles, that they had gone there as commissioners for the President of the Republic to notify the inhabitants of these settlements that the territory upon which they live belongs to Venezuela and not to Her Britannic Majesty, and required him to notify of this the aborigines who inhabit the village.

The commissioners remark that in the marriage registers kept at this place by the missionaries it is called St. Agathas Kwabannch, in the parish of the river Waini, county of Essequibo.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 11. On the same day, the 27th of December, the commissioners issued the following appointments as commissaries: To Francisco Arela, for the settlement of the mouth of branch Paramán; and to Próspero Cedeno, for the settlement of Cucurital, both on the bank of the river Waini.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 12. At a sitting on the 28th of December, 1886, on board the national steamer *Libertad*, anchored off the settlement of Morajuana, lying on both banks of the branch of the same name, the commissioners decided to appoint citizen José Ignacio García commissary, and notified him, in order that he should inform all the inhabitants, that this territory does not belong to Her British Majesty's Government, but to that of Venezuela.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 13. On the same day, the 28th of December, 1886, the commissioners, sitting on board the national steamer *Centenario*, anchored off Point Barima, taking into consideration all the difficulties that the National Government will meet with in communicating frequently with the commissaryships created by the undersigned, and considering the advantages presented by the position of the village of Curiapo, lying on the great mouth of the Orinoco, to make it the head of all these commissaryships, have decided to appoint an inhabitant of this village mayor (*jefe civil*) of said village and of all the territory embracing the commissaryships that have been reorganized by the commissioners; and, in consequence, issued this appointment to citizen Aniceto Ramones, who has done useful services to the commissioners, accompanying them in all their excursions as pilot on the rivers Amacura, Barima, Aruca, and Waini.

The commissioners then decided to address the following official telegram to the President of the Republic, which will be conveyed to Ciudad Bolívar by the captain of the *Libertad*, sailing this evening for that port:

CARACAS.

Illustrious American, President of the Republic:

On the eastern bank of the river Amacura we found a house serving as a public office, erected by the English, and two constables with commissions issued by the authorities of the neighboring colony. We have a written answer from the latter. On branch Barima, river Barima, and branch Morajuana there are only a few isolated farms (*conucos*). On the Aruca, an affluent of the Barima, there is a considerable settlement, with an English constable whom we did not meet there, he having gone to Georgetown. We sailed up the Waini a distance of more than 150 miles, as far as the village of Cuabana. There is at this place a hut which serves as a church and a

schoolhouse. At all these places we have publicly proclaimed that the territory belongs to Venezuela and not to Her British Majesty. We have appointed ten commissaries. The *Libertad* returns to Bolivar, carrying this dispatch, while we go on to Georgetown in the *Centenario*. The spot for the erection of the light-house at this point has been surveyed.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

This same dispatch was directed to the minister of foreign affairs.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT NO. 14. At a sitting on the 1st of January, 1887, on board the national steamer *Centenario*, anchored in the river Demerara off Georgetown, the commissioners decided to address the following note to the Venezuelan consul in this city:

ON BOARD THE VENEZUELAN MAN-OF-WAR CENTENARIO,
ANCHORED IN THE RIVER DEMERARA, OFF GEORGETOWN,
January 1, 1887.

To the Venezuelan Consul in Georgetown:

We, the undersigned, have come, as you may have seen it by the credentials which we have presented to you, as commissioners for the President of the Republic of Venezuela, to study and put into execution the affairs which we now proceed to state to you.

As the large increase of navigation on the Orinoco has made it urgently necessary, the President of the Republic has decided upon the immediate erection of a light-house at Point Barima, and this is one of the objects of our commission.

But as, besides this, the Government of Venezuela has received information that on the Amacura, Barima, Waini, and other rivers there are some individuals who style themselves constables, claiming to have been appointed by the authorities of this English colony, the President of the Republic has likewise ordered the investigation of these facts and the reorganization of the commissaryships in the settlements lying on the banks of the aforesaid rivers; and this is another of the objects intrusted to the commissioners.

In fulfillment of the instructions we have received, and after having begun the preparatory work for the erection of the light-house at Point Barima, we proceeded to explore the Amacura River, branch Barima, and branch Morajuana, and the Barima, Aruca, and Waini rivers. We did, in fact, find at the settlement of Amacura a wooden house with a thatched roof, which we were told had been erected by order of the authorities of this colony, and two individuals who presented to us their commissions as constables, signed by Michael McTurk, stipendiary magistrate. At the settlement of Aruca we were informed by the inhabitants there was also a constable, whom we did not meet, as he had come to this city. At Cuabana, on the banks of river Waini, a missionary, the Rev. Walter Heard, erected seven years ago, at the expense of the village, a hut which serves as a church and at the same time as a school, the master of which is paid by a religious congregation; but in the marriage and other registers which are kept there it is stated that said village belongs to the county of Essequibo.

At all these places and in fulfillment of the orders of the President of the Republic we have protested in the name of Venezuela against such acts, and have notified the inhabitants that those territories belong to Venezuela and not to Her Britannic Majesty.

We shall make you, Mr. Consul, a rapid sketch of the prominent facts of this matter.

You are aware that the question of limits between Venezuelan Guiana and British Guiana is pending. Venezuela has always claimed as her limits the left shore of the Essequibo; but since 1803 Great Britain, alleging the existence of Dutch forts on the other side of the Essequibo, took possession of considerable territory.

Venezuela has been constantly protesting from an early date against such proceedings and endeavoring to bring about a convention of limits between the two countries.

Engineer Schomburgk, who visited the country in 1841, marked out limits which were exceedingly fanciful, as they were based upon no previous facts, nor did they rest upon any document, but solely upon purely geographical considerations. He placed a sentry box and planted posts and other marks of dominion at Point Barima. The timely and just remonstrances of Venezuela against such pretensions succeeded in obtaining their removal, and then negotiations were commenced for a treaty of demarcation. The plenipotentiary of Venezuela proposed that it should be drawn at

the Essequibo and Lord Aberdeen at the Morocco. The death of the plenipotentiary of Venezuela unfortunately interrupted the negotiation.

In 1881 Lord Granville already desisted from the line of his predecessor, and asked that it should commence above the Morocco, 29 miles to the east of the eastern bank of river Barima. Venezuela has not accepted this proposition, and asks for arbitration as the most reasonable way of putting an end to these matters between two nations who have preserved, as they now preserve, relations of friendship, frank and sincere.

A convention exists which, on the 18th of November, 1850, was proposed by Mr. Wilson, British chargé d'affaires at Caracas, who, on account of the rumor having spread that a fort was about to be erected at Point Barima, declared in the name of his Government that the latter had no intention whatever of occupying or encroaching upon the territory in dispute, neither would they order or sanction such occupations or encroachments on the part of their authorities, and he requested and obtained a similar declaration from the Government of Venezuela. But we must remark to you, Mr. Consul, that Venezuela has never looked upon the lands watered by the Amacura, the Barima, and the Waini as being disputable territory.

It is evident, sir, that England has never considered herself coproprietor with Venezuela of the mouths of the Orinoco, and the Amacura empties much above its great mouth, and Point Barima lies on the great river and branch Barima, together with branch Morajuana, forms an outlet to the Orinoco on its right bank toward the east in all respects similar to that formed on its left bank toward the north by the Macareo, the Pedernales, and other branches which pour into the Gulf of Paria, all of them constituting the great delta of this river, of which Venezuela is the sole and exclusive proprietor.

As one of the many proofs that Venezuela has of Great Britain's having coincided with these ideas, I inclose a copy of the note written on the 26th of May, 1836, by the British legation in Caracas, urgently asking for the erection of a light-house at Point Barima.

The last news recently received by the Government of Venezuela was to the effect that gold mines are being worked on our territory lying between the Cuyuni, the Mazaruni, and the Puruni Rivers, and that large quantities of this mineral have already been exported through the custom-house of this city.

One of the instructions received by the undersigned commissioners is to the effect that, should the latest invasions of our territory prove to be true, as they have proved, we were to come to this city and lay them before you, which we do by this note, for you to transmit them to his excellency the governor, requesting an answer from him on the facts which we have stated to you.

Immediately upon the receipt of this answer, which we hope you will obtain in the shortest possible time, we shall return to Venezuela.

Besides all this, you will kindly inform us in a note of all that you may know in relation to these affairs, accompanying said note with all the official documents that you may be able to procure.

We are, sir, with high consideration, your most obedient servants,

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

ACT No. 15. At a sitting on the 8th of January, 1887, on board the national steamer *Centenario*, anchored in the river Demerara, off Georgetown, the commissioners read the following note, sent by the consul of Venezuela:

CONSULATE OF THE UNITED STATES OF VENEZUELA,
Georgetown, Demerara, January 8, 1887.

Messrs. Commissioners Dr. JESUS MUNOZ TEBAR and SANTIAGO RODIL.

GENTLEMEN: On the 1st of the present month I had the honor of receiving your note of same date, but as I have not yet received my exequatur I had to solicit permission from the government of the colony to enter into the discharge of my office, which permission was granted me on the 5th of this month, after certain formalities. On this day I transmitted to his excellency the governor of this colony a certified copy, as well as a translation, of the aforesaid document. On the following day—the 6th instant—I received an answer from his excellency the governor, the original of which I inclose, after having taken a copy for the archives of this consulate.

Little or nothing can I add, gentlemen, to what you already officially know. The only thing to which I can call your attention is the manner in which this matter has been decided by the Government of Great Britain. They have already established authorities at the most important points of the usurped territory, especially in the mining district lying between the rivers Cuyuni, Essequibo, Mazaruni, and Puruni, where there is at present a mining population of from 3,000 to 4,000 men.

180 BOUNDARIES OF BRITISH GUIANA AND VENEZUELA.

According to the last statement of the custom-house there were exported through this custom-house about 6,518 ounces of gold, against 936 in the preceding year. This was all clay gold. I send you herewith several newspapers, especially the official ones of the last months, in which you will find news about this mining and boundary question.

I am, with the highest consideration, your most obedient servant,

MANUEL L. R. ANDRADE.

The note of the government of the colony, to which the foregoing dispatch refers, is as follows:

[British Guiana.—In replying quote date hereof and No. 141.—Government seal.]

GOVERNMENT SECRETARY'S OFFICE,
Georgetown, Demerara, January, 6, 1887.

SIR: I am directed by his excellency the governor to acknowledge the receipt of your letter of the 5th instant, reporting the arrival here on the 31st ultimo of the Venezuelan gunboat *Centenario*, having on board Señors Dr. Jesus Munoz Tebar and Santiago Rodil.

Your letter embodies an official note, in which those gentlemen have communicated to you the object of their visit to British Guiana.

I am desired in reply to refer you to the notice dated the 21st of October, 1886, published in the London Gazette by authority of Her Majesty's Government, a copy of which is herewith inclosed, and to state that the districts referred to in the official note inclosed in your letter are included within the limits as designed by the terms of that notice, and form a part of the colony of British Guiana.

I have the honor to be, sir, your obedient servant,

CHARLES BRUCE.

To MANUEL L. R. ANDRADE, Esq.,
Acting Consul for Venezuela.

CONSULATE OF THE UNITED STATES OF VENEZUELA,
Georgetown, Demerara, January 7, 1887.

I certify that the above signature is the true signature of Charles Bruce, secretary-general to the government of this colony.

[Seal of the consulate.]

MANUEL L. R. ANDRADE.

[Extract from the London Gazette, dated October 22, 1886.]

THE COLONY OF BRITISH GUIANA.

COLONIAL OFFICE, DOWNING STREET,
October 21, 1886.

Whereas the boundary line between Her Majesty's colony of British Guiana and the Republic of Venezuela is in dispute between Her Majesty's Government and the Government of Venezuela; and whereas it has come to the knowledge of Her Majesty's Government that grants of land within the territory claimed by Her Majesty's Government as part of the said colony have been made, or purport to have been made, by or in the name of the Government of Venezuela: Notice is hereby given that no title to land, or to any right in or over or affecting any land, within the territory claimed by Her Majesty's Government as forming part of the colony of British Guiana, purporting to be derived from or through the Government of Venezuela, or any officer or person authorized by that Government, will be admitted or recognized by Her Majesty or by the government of British Guiana, and that any person taking possession of or exercising any right over any such land under color of any such title or pretended title will be liable to be treated as a trespasser under the laws of the said colony.

A map showing the boundary between British Guiana and Venezuela, claimed by Her Majesty's Government, can be seen in the library of the colonial office, Downing street, or at the office of the government secretary, Georgetown, British Guiana.

Certified a true extract from the London Gazette.

C. BRUCE.

CONSULATE OF THE UNITED STATES OF VENEZUELA.

I certify the above to be the true signature of Charles Bruce, secretary-general to the Government of this Colony.

[Seal of the consulate.]

MANUEL L. R. ANDRADE.

The commissioners, considering that by the receipt of the foregoing notes the object for which they were sent by the National Government has been achieved, decided to consider their work at an end and to return to Venezuela to present their report to the President of the Republic.

JESUS MUNOZ TEBAR.
SANTIAGO RODIL.

No. 55.

Diego B. Urbaneja to F. R. St. John.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, January 26, 1887.

SIR: In conformity with the information given to your excellency by this department on the 7th of December last, the President of the Republic sent Engineer Dr. Jesus Munoz Tebar and General Santiago Rodil as commissioners to Barima and other points, with the views which have already been mentioned.

The chief of the commissioners has just returned here, and has reported to the Government the results of their work.

The grave news which caused this step to be taken has unfortunately been confirmed.

In the first place, the commissioners found two constables at the settlement lying on the right bank of the Amacura, to wit, Messrs. Francis Stephen Neame and G. B. Jeffry, who showed them the warrants which appointed them "rural constables," issued on the 1st of March, 1885, and on the 6th of September, 1886, respectively, by Mr. Michael McTurk, calling himself a stipendiary magistrate of Her Majesty in and for the colony of British Guiana. In answer to a communication of the commissioners, said constables assured them that they had received no orders to oppose the Venezuelan authorities of the left bank which should descend the Amacura; but that they had authority to prevent any Venezuelan vessel from selling rum or spirituous liquors on British territory, and, they added, that any vessel selling rum without a proper license from their government (i. e., that of Demerara) might be seized at any time.

At the aforesaid settlement of Amacura the commissioners took sworn depositions from the Venezuelan commissary, Mr. Roberto Wells, and from Messrs. Aniceto Ramones and Alfonso Figueredo. These depositions corroborated the facts of the capture and kidnaping of the first named at the aforesaid place, his conveyance thence to Georgetown and his imprisonment in the gaol of that city during two months, his trial, and sentence to pay a fine of \$25. They ascertained, besides, that a wooden house with a thatched roof, which serves as a public office and over which flies the English flag, had been erected by and at the expense of the colonial government, which house the commissioners saw. They in the same manner proved the fact that an English revenue cutter, called the *Transfer*, had on several occasions gone to Amacura having on board a British magistrate and armed policemen, who went there with the object of trying, giving judgment, and deciding criminal and police cases; and that at Amacura, as well as at Barima, vessels are searched which have been legally dispatched in Ciudad Bolivar, which vessels are forbidden from selling their goods and from going on to Branch Barima, unless in ballast, requiring them to provide themselves with permits in Georgetown before allowing them to transact any business.

The commissioners went to the right bank of the Amacura, where they communicated both verbally and in writing with the aforesaid constables. They then proceeded to the settlement of Aruca, where they were told that there was a constable, Harrington by name, who was away at the time, and that a justice of the peace had been there three months before on account of the murder of a cooly, the author of which had been arrested and taken to Georgetown for trial. He was sentenced to five years' imprisonment.

At Cuabana, a settlement lying on the right bank of river Waini, they found a hut, serving as a Protestant church and public school, which had been erected by direction of Missionary Walter Heard. In the marriage registers, which are kept there, it is stated that that place belongs to the county of Essequibo. No constable was found at this place, but, according to the information given by the schoolmaster, Mr. Jacobus Ingles, the colonial government has one at the village of Guaramari, on the banks of river Maruca.

The commissioners ascertained likewise that gold mines were being developed by the English authorities on our territory situated between rivers Cuyuni, Mazaruni, and Pruni, and that large quantities of this mineral had already been exported through the English custom-house.

The commissioners finally proceeded to Georgetown, and through the Venezuelan consulate in that city acquainted the governor of Demerara with the objects of their commission, the measures they had taken by virtue of same, and the violations of Venezuelan territory which they had discovered. The secretary of said British official simply answered, on the 6th of this month, that he referred the commissioners to the notice published in the London Gazette of 21st of October, 1886, a copy of which he inclosed, and stated that the districts referred to in the official note of the commissioners were included in the boundaries established by the terms of the notice and are part of the colony of British Guiana.

It is proclaimed and notified in said notice that, whereas the boundaries between British Guiana, one of Her Majesty's colonies, and the Republic of Venezuela are under dispute between Her Majesty's Government and the Government of Venezuela; and whereas Her Majesty's Government has received information that the Government of Venezuela has made or is about to make grants of land within the territory claimed by Her Majesty's Government, such titles will not be admitted or recognized, and any person taking possession of said lands, or exercising any rights thereon, on pretense of such titles, will be prosecuted as trespasser according to the laws of the colony. In conclusion the notice says that in the library of the colonial office in Downing street, or in the office of the Government's secretary in Georgetown, British Guiana, may be seen a map showing the boundaries between British Guiana and Venezuela claimed by Her Majesty's Government.

One can not understand why these boundaries are not specified in the notice itself, but have been left to a map, which is separated from the notice with which it is connected.

There is then not the slightest doubt that an extensive portion of Venezuelan territory, and the great artery on the north of the South American continent, the Orinoco, are *de facto* under the dominion of Great Britain under the fragile pretext that there is a dispute about limits between the Republic and Her Majesty's Government. The logical conclusion, from the existence of a controversy about the proprietorship of lands and waters, would be at most the convenience of neutralizing, by common consent, the places in litigation pending the decision of same. But for one of the contending parties to decide upon the appropriation of the object under controversy by himself, and in contempt of the rights of the other, is by the light of all jurisprudence an unjustifiable violation of the most sacred right of a nation; it is a deadly wound inflicted upon the sovereignty of the Republic. Great Britain has reproved in a similar case the self-same action which she to-day takes with Venezuela.

According to the order issued by the King of Spain in 1768, the province of Guiana was bounded on the south by the Amazon, and on the east by the Atlantic Ocean; so that the acquisitions of other powers within those limits were not valid until they were made lawful by the posterior consent of said monarch. In regard to the Netherlands, to whose rights Great Britain has succeeded, the only portion that was left in their possession of the aforesaid territory were the establishments of Essequibo, Demerara, Berbice, and Surinam, of which the Dutch had taken possession during the long war with their old metropolis, which came to an end by the treaty of Munster in 1648. The fact of the Dutch not owning then any other colonies but those mentioned is confirmed by the extradition treaty made in Aranjuez between Spain and the Netherlands, toward the close of the eighteenth century, on the 23d of June, 1791, in which treaty only these are enumerated. And it must be remarked that the Dutch could not continue advancing upon the Spanish possessions because article 6 of the Munster treaty prohibited them from navigating toward them and from transacting any business with them. They continued advancing notwithstanding this; but, far from consenting to these new usurpations, Spain appealed to arms in order to repel them. Lord Aberdeen himself, in his note of 30th of March, 1844, to Mr. Fortique, recalls the fact that in 1797 the former attacked the fort of New Zealand, the unfavorable issue of this attack being here of no importance. What it is intended to prove is not the superiority of her forces over the Dutch garrison, but the opposition to the latter's advances. Therefore all that was beyond the Essequibo was out of the jurisdiction of Holland, who, on the other hand, only made over to England in 1814 the establishments of Essequibo, Demerara, and Berbice.

In 1844 Lord Aberdeen proposed the Moroco as boundary.

In 1851 Lord Granville presented to Venezuela a line which commenced 29 miles to the east of the eastern shore of the Barima.

In 1886 Lord Rosebery asked for a frontier which should start from the sea coast toward the west of river Waini.

In 1868 the governor of Demerara, in a decree on the division of registers, did not establish a more northerly one than that of the Pomaron.

It was on the 6th of November, 1886, that, annulling that decree by order of Her Majesty's Government, he established new divisions which reach as far as the eastern shore of the Amacura.

It was also in 1885 and in 1886 that he appointed constables for Amacura.

In 1841 Engineer Schomburgk fancifully marked out the boundaries claimed to-day by Her Majesty's Government and planted posts and other marks.

The Republic having taken alarm at these facts, the Government sent two commissioners to Demerara to request an explanation, and instructed their minister in London to demand the removal of the marks.

The governor of Demerara said to the commissioners that, as the limits were in reality undetermined and under discussion, Mr. Schomburgk's action had not been nor could have been taken with the intention of taking possession, but as a simple marking out of the line presumed upon by British Guiana, and therefore, while the limits should be undetermined, the Government of Venezuela might be certain that no forts would be ordered to be erected on the land in question, nor would soldiers or forces of any kind be sent there.

On his side Lord Aberdeen answered that the marks placed by Mr. Schomburgk at some points of the country which he had surveyed were simply a preliminary step, subject to future discussion between the two Governments; that they were the only tangible means of preparing to discuss the question of limits with the Government of Venezuela; that they were placed with that express object, and not, as the Government of Venezuela seemed to fear it, with the intention of indicating dominion or empire on the part of Great Britain. He added that he was glad to learn from Mr. Fortique's note that the commissioners sent by this Government to British Guiana had been able to ascertain, through the information given by the governor of that colony, that Point Barima had not been occupied by British authorities. This was written on the 11th of December, 1841.

Shortly after, on the 31st of January, 1842, Lord Aberdeen ordered the removal of the marks, with the object of putting an end to the misunderstanding existing in Venezuela with regard to the object of Mr. Schomburgk's surveyal, and in attention to the renewed representation of Mr. Fortique.

It is beyond the intelligence of Venezuela to conciliate the proceedings of that time, by which it was rendered evident that possession could not be taken of the territory, and the fact of to-day, by which the British Government has arrogated the dominion of what it alleges to claim.

And I must here record that Venezuela never understood that the proprietorship of the places situated on this side of the mouth of the Pomaron was disputed from her, but only that of those between that river and the Essequibo, and this is clearly proved by Lord Aberdeen's proposal, who was satisfied with the mouth of the Moroco as western boundary of the British possessions.

But even admitting, for the sake of argument, that the land in litigation was larger, this would not give Great Britain a better right to occupy it, not only by reason of the cause itself, but because she made the engagement not to occupy the territory in dispute.

I refer to the convention made in November, 1850, by the exchange of notes with Mr. Wilson, British chargé d'affaires, at his own request and in pursuance of the definite instructions of his Government. This gentleman first of all declared devoid of foundation and the reverse of the truth the rumors then generally prevalent here that Great Britain wanted to claim the Venezuelan Guiana as her property; he next declared that Great Britain would not occupy or encroach upon the territory in dispute, neither would she order such occupation or encroachment, nor sanction it on the part of her authorities; and he requested and obtained a similar declaration from Venezuela.

It is therefore clear that Great Britain has violated this convention, which was her own work, by entering Venezuela through forbidden places, visiting rivers Waini, Morajuana, Amacura, and branch Barima; by posting notices on the trees of the shores, whereby it was intimated that her laws were in force there; by appointing constables; by carrying away a Venezuelan commissary under the pretext that he had illtreated a Portuguese subject, although this was in the jurisdiction of the Republic, taking him to Georgetown, imprisoning him, trying him, and inflicting a fine of \$20; by establishing a public office at Amacura; by cruising in the space comprised between this river and the Barima, in the revenue cutter *Transfer*, including those territories in the district of the governor of Demerara; by sending a magistrate to the same to try and decide on criminal and police cases; by authorizing the working of mines on Venezuelan territory, and, finally, by appropriating said territory because, as it says, the dispute on limits is pending.

As minister for the Republic, Gen. Guzman Blanco claimed from the British Government, in a note dated on the 28th of July last, the satisfaction which these facts demand; and the answer has been to proclaim and notify by means of a notice published on the 21st of October, 1886, in the London Gazette, that the territory marked out by Engineer Schomburgk is their property.

That is to say, that the Government of Great Britain has decided for itself and by itself, to the exclusion of Venezuela, that she is proprietor of the mouth of the Orinoco, the most important river of the Republic, of which the Barima and the Mora-

juana are branches, including also Point Barima, and which her chargé d'affaires, Sir Robert Porter, spontaneously acknowledged on the 26th of May, 1836, to be under the sovereignty of Venezuela.

Venezuela has frequently proposed that the question be submitted to the decision of an arbitrator on rights, and Her Majesty's Government has refused, alleging that this method can not be applied to a controversy on limits. It has persisted in this refusal, although reminded that by the conventions of 1827 and 1871 England herself referred to an arbitrator a dispute on limits between herself and the United States, one about her possessions in North America, and the other in reference to the canal of Haro, with the circumstance that in the latter case the proposal came from herself as many as six times.

Venezuela is still willing to settle this controversy by means of arbitration, the only method compatible with her constitution now in force.

By virtue of the preceding statements the President of the Republic demands from Her Majesty's Government the evacuation of the Venezuelan territory from the mouths of the Orinoco to the Pomarón, which it has unduly occupied, with the understanding that if, by the 20th of February next—date at which Congress meets, to whom the Government must render account of everything—no answer has been received or a negative answer has come, the diplomatic relations between the two countries will be severed from that date.

I beg to renew to your excellency the assurances of my highest consideration.

DIEGO B. URBANEJA.

To His Excellency F. R. ST. JOHN,
Her Britannic Majesty's Minister Resident, etc.

No. 56.

F. R. St. John to Diego B. Urbaneja.

BRITISH LEGATION,
Caracas, January 31, 1837.

SEÑOR MINISTRO: Referring to my interview of the 6th of December last with His Excellency the President of the Republic and to your excellency's note of the day after, in which was signified to me the intention of the Government of Venezuela to proceed at once to occupy Barima Point by erecting there a light-house in compliance with the alleged desire of Her Majesty's Government, I am now instructed by Her Majesty's principal secretary of state for foreign affairs to state to your excellency for the information of the President that the request by the British consul for the erection of such a light-house in 1836 was unknown to and unauthorized by the British Government of the day; that an attempt to erect such a light-house without the consent of Her Majesty's Government would be a departure from the reciprocal engagement taken by the Governments of Venezuela and England in 1850 not to occupy or encroach upon the territory in dispute between the two countries; and that Her Majesty's Government would be justified in resisting such a proceeding as an act of aggression on the part of Venezuela.

Nevertheless, as it appears that a light at Barima Point would render the navigation of the Orinoco River safer and thus be of undoubted benefit to commerce generally, Her Majesty's Government do not desire unduly to insist on their rights, and I am in consequence instructed to inform the President that they will give their consent to the erection of a light at Barima Point on condition that an arrangement shall be come to between the two Governments as to the quantity of land to be occupied for the purpose, and that the Venezuelan Government shall give a formal engagement in writing that the placing of the light will in no way be held as prejudicing the British claim to the territory in dispute, of which Barima Point forms a part, nor be construed hereafter as evidence of any right on the part of Venezuela to Barima Point, nor as an acquiescence by Great Britain in such assumption.

I am further instructed to state that on receiving such written assurances, Her Majesty's Government will be prepared to instruct the British local authorities not to offer any opposition to the erection of the proposed light, but I must warn the Government of Venezuela against the danger of their taking action in the matter without previous understanding with Great Britain.

I avail myself of this opportunity to renew to your excellency the assurances of my highest consideration.

F. R. ST. JOHN.

His Excellency Dr. DIEGO B. URBANEJA, etc.

No. 57.

Diego B. Urbaneja to F. R. St. John.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, January 31, 1887.

SIR: I have informed the President of the Republic of the contents of the note which your excellency handed to me this morning, in which you state that the request made by the British consul in 1836 for the erection of a light-house at Point Barima was neither known to nor authorized by the British Government of the period; that an attempt to erect such a light-house without the consent of Her Majesty's Government would be an infringement of the mutual engagement made by the Governments of Venezuela and England in 1850 not to occupy or encroach upon the territory in dispute between the two countries; that Her Majesty's Government would be justified in resisting such a proceeding as an aggressive act on the part of Venezuela; that, as the light-house at Barima would make the navigation of the Orinoco safer and would prove of undoubted benefit to commerce generally, Her Majesty's Government does not wish to insist unduly on their rights, and therefore consents to the erection of a light-house at Barima on condition that the two Governments enter into an agreement as to the quantity of land to be occupied for this purpose, and that the Government of Venezuela give a written assurance that the erection of the light-house will not be considered in any way as prejudicial to the British claim to the territory in dispute, of which Point Barima forms a part, nor will be in future considered as a proof of any right of Venezuela to the same, nor as the acquiescence on the part of Great Britain to such a presumption.

Far from finding a way to a solution of the existing difficulties in the aforesaid note, the President of the Republic judges that the same only aggravates them more and more, as will be shown.

He does not admit that now, after fifty years and eight months have elapsed since the step taken by Sir Robert Ker Porter, it be pretended that this step was neither known to nor authorized by the British Government of the period, nor that he be called a consul, as though to weaken the value of his word. He was a consul at first, but after the exchange of the treaty of 1834 between the two countries he was appointed *chargé d'affaires*, and it was in this capacity that on the 24th of May, 1836, he urged the establishment of a light-house at Point Barima.

Venezuela does not admit now, neither has she admitted before, nor will she ever admit, that Point Barima has ever been in question, in the same manner that the island of Barima is not, has never been, nor will ever be. This island, and also that of Federnales, are islands which, together with many others, are situated both physically and politically on the great Delta of the Orinoco, the exclusive property of Venezuela, of which country all of them form an integral part.

It is undoubtedly out of respect for this sacred and invulnerable right of the Republic that none of the successive proposals of Lord Aberdeen, Lord Granville, and Lord Rosebery include the island of Barima.

The Government of Her Majesty invokes the convention of 1850, in order to deny to Venezuela the right of establishing a light-house at Barima, thereby justifying more and more the complaints and remonstrances of the Republic, because it is in utter disregard of this same convention that they have taken possession of the vast territory lying between the Pomaron, Barima, and the right bank of the Amacura, thus making any settlement impossible.

I have already said, and I repeat to your excellency, that Venezuela has never considered as being controverted the territory which lies between the Pomaron and the Amacura, but that which lies between the Pomaron and the Essequibo; but even in case that the former space were comprised in the dispute, Great Britain could neither have occupied it nor retained it, as she should have been prevented from doing so by the existence of the compact which she to-day invokes against the Republic, and which she has infringed for her own benefit.

The President will not submit to the conditions imposed upon him for the erection of a light-house at Point Barima, as this would be tantamount to assenting to the advances of Great Britain, which recognize no foundation, and to making declarations which would be damaging to the indisputable right of the Republic.

And now the most important: This is the first occasion on which Her Majesty's Government make known their pretension to the Orinoco and speak of their rights in this respect and pretend to call themselves owners of it, imposing conditions for the use of the lands on which the light-house would be placed. Until now all had been reduced to acts on one side, unknown to the other; but to-day the latter is notified of what is done, and its approval is sought of these acts and pretensions, which are in opposition to its rights.

In consequence, the President of the Republic has instructed me to formally renew the demand contained in my note of the 26th of this month, regarding the evacuation of the whole of the territory occupied and retained by Great Britain, without any right whatever, and in violation of the rights of Venezuela, from the Amacura to the Pomaron, by the 20th of February, date at which Congress will meet.

And I am to add that in case this has not been done by that time, and, besides, said evacuation is not accompanied by the acceptance of arbitration as the means of deciding the pending litigation on boundaries, the diplomatic relations between the two Governments will be severed and a protest will be entered which will forever secure the rights of Venezuela against proceedings which she should never have expected from a power with whom she has ever endeavored to maintain the most friendly relations and frank intercourse.

I avail myself of this opportunity to renew to your excellency the assurances of my highest consideration.

DIEGO B. URBANEJA.

His Excellency F. R. ST. JOHN,
Her Britannic Majesty's Minister Resident, etc.

No. 58.

F. R. St. John to Diego B. Urbaneja.

BRITISH LEGATION,
Caracas, February 7, 1887.

SEÑOR MINISTRO: I have to acknowledge receipt of two notes on the Guiana frontier question which your excellency did me the honor to address to me, one dated the 26th and the other the 31st ultimo, and I must express my astonishment that despite the positive assurance I gave, which was afterwards confirmed by Her Majesty's Government, namely, that Sir Robert Porter's request in 1836 for the placing of a light at Barima Point had been made without the authority or even the knowledge of Her Majesty's Government, the Government of Venezuela should doubt the statement, and persist in regarding the circumstance as justifying their claim to the spot. As well might it on the other side be argued that the merchants of Ciudad Bolivar, or Angostura as it was then called, presumably from their proximity better acquainted than Sir Robert with the locality, having petitioned him rather than the Venezuelan local authorities for the means of safer navigation; that the circumstance proved that the merchants looked upon Barima Point as British and not Venezuelan territory.

With equal surprise do I observe that notwithstanding your excellency's allusion in your first note to the several instances, namely, in 1844, 1851, and 1886, in which Her Majesty's Government have from a friendly feeling to Venezuela offered to cede the lower right bank of the Orinoco, your excellency should affirm in your second note that the Venezuelan Government now for the first time learn (by my note of the 31st ultimo) that the territory claimed by Great Britain extends to the Orinoco.

I have only to add that your excellency's first note was transmitted a few days ago to Her Majesty's Government and that your second note will be forwarded by the next opportunity.

I avail myself of this opportunity to renew to your excellency the assurance of my highest consideration.

F. R. ST. JOHN.

His Excellency Dr. DIEGO B. URBANEJA, etc.

No. 59.

Diego B. Urbaneja to General Guzman Blanco.

[Telegram—Macuto.]

CARACAS, February 11, 1887.

General GUZMAN BLANCO:

The English minister has just addressed the following note to me:

"Having telegraphed to Her Majesty's Government the substance of your excellency's note to me of the 26th ultimo, I have this moment received by telegraph instructions from Her Majesty's principal secretary of state of foreign affairs to state to you in reply that the Government of Her Majesty, while still prepared to enter into friendly negotiation with the object of settling the Guiana boundary question, are unable to accede to the present demand of the Government of Venezuela much as they would regret the action indicated in the note from your excellency above mentioned."

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Mr. St. John says that in case there is any answer to be sent by telegraph, there is an opportunity to do so by a steamer sailing to-day for Trinidad, and there will be no other before another week.

DIEGO B. URBANEJA.

No. 60.

Diego B. Urbaneja to F. R. St. John.

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, February 11, 1887.

SIR: Immediately upon the receipt of your note of this date I transmitted it by telegraph to the President of the Republic, who has answered me in the following manner by the same means:

"Your telegram just received. Say in answer to the English minister that the Government of Venezuela renew and ratify in all their parts the contents of their notes dated the 26th and 31st of the preceding month, as they can not enter into a new discussion until Great Britain has evacuated the whole of the territory as far as the river Pomaron, which, in conformity with the convention of 1850, Venezuela has a perfect right to demand."

I beg once more to renew to your excellency the assurances of my distinguished consideration.

DIEGO B. URBANEJA.

His Excellency F. R. ST. JOHN,
Her Britannic Majesty's Minister Resident, etc.

No. 61.

F. R. St. John to Diego B. Urbaneja.

BRITISH LEGATION,
Caracas, February 19, 1887.

SEÑOR MINISTRO: In accordance with instructions which I received to-day from England, I have the honor to state to your excellency that Her Majesty's Government having been apprised of the recent visit of two Venezuelan commissioners to a portion of the territory claimed by Great Britain as belonging to the colony of British Guiana, and of their proceedings there, any interference with British subjects in that locality will not be permitted.

I avail myself of this opportunity to renew to your excellency the assurances of my highest consideration.

F. R. ST. JOHN.

His Excellency Dr. DIEGO B. URBANEJA, *etc.*

No. 62.

Diego B. Urbaneja to F. R. St. John.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, February 20, 1887.

SIR: The Republic of Venezuela succeeded to Spain in her rights over the captaincy general of the same name by virtue of the treaty of recognition signed in Madrid on the 30th of March, 1845.

The province of Guiana formed a part of the captaincy general.

The boundaries of this province were, on the east the Atlantic Ocean and on the south the river Amazon.

It was only through cessions made by Spain that these boundaries could suffer any reduction.

The Dutch had taken possession of some points of Guiana during their long war of emancipation, and when Spain recognized their independence she consented to legalize their usurpations on the coast of America by the treaty signed in Munster on the 30th of January, 1648.

In said treaty the establishments of which the Dutch were left in possession were not specified, but in the extradition treaty made at Aranjuez on the 23d of June, 1791, the colonies of Porto Rico, Coro, and the Orinoco were mentioned as Spanish, and as Dutch, lying opposite to these, those of St. Eustace, Curaçoa, and Essequibo, Demerara, Berbice, and Surinam.

Of these four last colonies the Netherlands transferred three to Great Britain, to wit, those of Essequibo, Demerara, and Berbice, through the London treaty of 13th of August, 1814.

The English have no further titles in Guiana than those thus transferred to them by Holland.

It must be observed that when the Dutch, infringing the aforesaid Munster treaty, which prohibited them from navigating to and trading with the Spanish possessions, endeavored to advance toward the latter, His Catholic Majesty invariably opposed an armed resistance to these attempts at usurpation.

That the Dutch themselves did not believe themselves to be the legitimate owners, on the north side of the colonies, of a larger portion of territory than the Essequibo is proved by the fact that no other is included in the aforesaid act of alienation to Great Britain.

Thus, in 1810, the Essequibo was the limit between the province of Guiana and Holland, and the same belongs to Venezuela as established by her constitution.

Since 1822 the Government of Colombia, the predecessor of Venezuela, claimed the Essequibo as the property of the Republic.

In 1841 Engineer Schomburgk, commissioner for the English Government, made surveys in Venezuelan Guiana and planted posts and other marks of dominion even at Barima and Amacura.

Public opinion in Venezuela became greatly excited, the Government protested, and Her British Majesty ordered the removal of the marks, explaining that they had not been placed as a sign of empire. Since then Venezuela has been asking for a treaty which should decide the misunderstanding on boundaries.

It was only in 1844 that the plenipotentiary of the Republic, after a long preparation of the preliminaries, opened negotiations for the treaty. Based upon conventional right, upon history, and upon the authority of geographical maps, he proposed the Essequibo as a frontier.

In his turn Lord Aberdeen, Her British Majesty's secretary for foreign affairs, proposed the Morocco, thereby leaving to Venezuela, as he stated, the ownership of the Orinoco.

The Republic did not accept a line which deprived her of the territory lying between the Essequibo and the Morocco, and to which the English could present no title whatsoever.

In 1850 the rumor spread that Great Britain wanted to claim Venezuelan Guiana. Mr. Wilson, then chargé d'affaires of that nation in Caracas, contradicted this rumor. He affirmed that it was precisely the reverse of the truth; that his Government had no intention of occupying or encroaching upon the territory in dispute; that they would neither order such occupation or encroachment, nor would they sanction them on the part of their authorities; that they would order the latter to refrain from such acts, and would with pleasure renew these instructions in case of need. He requested and obtained a similar declaration from Venezuela. The territory in dispute was not specified at the time; but Venezuela has never understood that it was that comprised between the Pomaroon and Amacura, but that inclosed by the Pomaroon and the Essequibo.

Never losing sight of the question, Venezuela urged a settlement in 1876. At the end of five years, in September, 1881, Lord Granville presented a new demarkation, which commenced at a place on the seacoast at a longitude of 29 miles to the east of the right shore of river Barima. He added that in this manner he satisfied the reasonable pretensions and claims of Venezuela and ceded to her the so-called Dardanelles of the Orinoco and the complete dominion of its mouth.

The Republic did not accept this line either, which for unknown motives is still more damaging to her than that of Lord Aberdeen.

In 1883 the British Government joined together the three questions of boundaries, additional duty of 30 per cent on merchandise coming from the Antilles, and pecuniary claims, and urged an amicable and simultaneous settlement of the same.

In consequence of this, Gen. Guzman Blanco proceeded to London with full powers in his character of envoy extraordinary and minister plenipotentiary, and earnestly devoted himself to the settlement of those affairs.

During the negotiation of the new treaty of commerce he had obtained the written promise of Her Majesty's Government to submit all disputes arising between the two countries to arbitration. This involved the boundary question. But before the convention was signed a change of ministry took place. Lord Granville's successor, while fulfilling all the promises made by the preceding Administration to other States, refused to keep that which had been made to Venezuela. He alleged that Great

Britain could not apply arbitration to controversies on limits. He forgot that she herself had applied it in 1827 and 1871 to disputes of this kind with the United States, the arbiter in the first instance being the King of Holland and the present Emperor of Germany in the second. The motive of the latter was the canal of Haro, and it was the British Government who, as many as six times, asked for and finally obtained arbitration.

In July, 1886, and as the result of the exertions of the Venezuelan legation, Lord Rosebery presented a frontier which commenced west of the Waini, and was considered unacceptable for several reasons, one of them being that it was accompanied by a demand for the free navigation of and commerce on the Orinoco.

While negotiations were being carried on in Europe, several agents of the governor of Demerara entered Venezuelan Guiana since October, 1884. They placed marks and posted notices. They reached once more the Amacura and carried away the commissary, Mr. Roberto Wells, in order to try and to punish him for the ill-treatment of a Portuguese subject, which they did, notwithstanding that they had no jurisdiction over the place where the fact had occurred. They at the same time declared those places to be British territory, and the laws of the neighboring British colony to be in force there. The Venezuelan legation justly protested against such an undeserved grievance, and demanded the satisfaction that the case called for.

The remonstrances of Venezuela have not been attended to; they have not deserved an answer. It seems, on the contrary, that they have been taken as a pretext for the aggravation of the offenses. On receipt of the news of the last events the President of the Republic called on your excellency on the 6th of December, 1886, and requested you to give him any information you might possess on these incredible events. He furthermore advised your excellency that he was going to order the erection of a light-house at Point Barima, which, since 1836, had been most earnestly urged by Sir Robert Ker Porter, British chargé d'affaires. Your excellency refused to give the requested explanations, because the President did not consent to postpone the execution of his project until your excellency had consulted your Government on the subject. This means that your excellency wished that the President should not carry out an administrative measure on Venezuelan territory without previously obtaining permission of Her British Majesty, who has occupied and retains this territory without any right whatsoever. In answer your excellency has informed me that your Government would consider the occupation of Point Barima as a violation of the aforesaid convention of 1850 not to occupy or encroach upon the territory in dispute, and further stated that, as the light-house would prove of general utility, they do not wish unduly to insist on their rights, and would not oppose the erection thereof, provided an arrangement be come to regarding the amount of land to be occupied for this purpose, and an agreement be made in writing not to consider this fact as prejudicial to the claim of Great Britain upon the territory in dispute, of which Point Barima forms a part, and that it be not construed at a later period as a proof of the right of Venezuela at Point Barima and the acquiescence of Great Britain to such a pretension.

The Republic has found it most extraordinary that the convention of 1850 be invoked against her when it has been violated by Great Britain for her own benefit, and has rejected conditions which, if accepted, would have been destructive of her rights, and has declared that such an answer aggravates still more the situation of affairs. It can not be otherwise, since, by invoking the convention, the British cabinet acknowledges the duty there is of complying with it, and their conduct singularly contrasts with what should be the standard thereof.

In order to work upon sure ground and to carry out the erection of the light-house, together with other views, the President sent on last December a commission composed of Dr. Jesus Munoz Tebar and Gen. Santiago Rodil. These gentlemen surveyed several points, commencing at Amacura, and, as the result of their personal observations, they have brought the following information: On the right bank of the Amacura they found two "constables," to wit, Messrs. Francis Stephen Neame and G. B. Jeffry, appointed by Mr. Michael McTurk, who calls himself a stipendiary magistrate of Her Majesty in and for the colony of British Guiana, the first named having been appointed on the 1st of March, 1885, and the second on the 6th of September, 1886. These constables have authority to prevent any Venezuelan vessel from selling rum or spirituous liquors without a license from the governor of Demerara, and to seize anyone which may do so. They proved the existence of a wooden house which serves at Amacura as a public office, over which flies the English flag, and was erected at the expense of the government of Demerara. They ascertained that a British revenue-cutter, called the *Transfer*, had called on various occasions at Amacura, having on board a magistrate, who, accompanied by armed policemen, came to try and decide upon criminal and police cases. They learned that at Amacura and Barima vessels are searched which have been legally dispatched at Ciudad Bolivar, and they are forbidden from selling their merchandise and going up branch Barima except in ballast. They heard that there was another constable called Harrington

at the settlement of Aruca, and that three months before a magistrate had been there in order to arrest and try the murderer of a coolie, who was sentenced to five years' imprisonment. At Cuabana they found a Protestant church, which serves at the same time as a school-house, and in the marriage register of which it is stated that that place belongs to the county of Essequibo. The commissioners were informed that the colonial government keep a constable at the village of Guaramuri, on the banks of river Moroco. They likewise ascertained that gold mines were being worked by English authority on the Venezuelan territory lying between the rivers Cuyuni, Mazuruni, and Puruni, and that large quantities of this mineral had already been exported through the custom-house at Demerara. The commissioners proceeded to Georgetown, and through the Venezuelan consul at that place made the governor acquainted with the objects of their commission, what they had accomplished by virtue of same, and with the violations which they had discovered of Venezuelan territory. The Government secretary answered on the 6th of January that he referred them to the notice published in the London Gazette on the 21st of October, 1886, and added that the places mentioned in the official note of the commissioners were included in the limits established by the terms of the notice, and are a portion of the colony of British Guiana. In the notice it is proclaimed and notified that: Whereas the limits between British Guiana, one of Her Majesty's colonies, and the Republic of Venezuela are in dispute between Her Majesty's Government and the Government of Venezuela; and whereas information has reached Her Majesty's Government that the Government of Venezuela has made, or proposes to make, grants of land within the territory claimed by Her Majesty's Government, such titles will neither be admitted nor recognized; and any person taking possession of or exercising any rights on said lands by virtue of said titles will be prosecuted as trespassers, according to the laws of the colony. In conclusion it is stated in the notice that a map may be seen at the library of the colonial office in Downing street, or at the office of the Government secretary in Georgetown, Demerara, showing the limits between British Guiana and Venezuela as claimed by Her Majesty's Government.

To what precedes may be added that the governor of Demerara, in a decree issued in 1868 on the division of registers, did not establish a more northerly limit than the Pomaron; and that, annulling the same on the 6th of November, 1886, by order of Her Majesty's Government, and doubtlessly with that sole object in view, he created new divisions which reach as far as the eastern shore of the Amacura.

The limits now occupied, not claimed, by the English Government are the same which Engineer Schomburgk fancifully marked out in 1841.

On the 6th of January last the Government, strengthened by the most solid reasons, reiterating their willingness to end the controversy by arbitration, demanded from Her Britannic Majesty the evacuation of the Venezuelan territory from the mouths of the Orinoco to the Pomaron, which she had unduly occupied, with the understanding that if by the 20th of the present month no answer had been returned or a negative answer had been given the diplomatic relations between the two countries would be severed from that date.

On the 3d of January, in answering about the conditions on which the English Government would consent to the erection of the light-house at Point Barima, said demand was renewed, together with that of the acceptance of arbitration.

On the 11th of this month your excellency notified me that, having communicated my note of 26th of January by telegraph to Her Majesty's Government, you had been instructed to say in reply that, while being still willing to enter into amicable negotiations with the object of settling the question of limits of Guiana, they could not accede to the present demands of the Government of Venezuela, much as they would regret the proceeding which my note indicated.

I therefore repeated and ratified in all their parts the contents of my notes of 26th and 31st of January, as the executive could not open a new discussion until Great Britain had evacuated the territory as far as the river Pomaron, which Venezuela has a perfect right to demand in conformity with the convention of 1850.

The 20th of February has come, and also the foreseen event of the denial of the claims of Venezuela.

Thus Great Britain rejects the just and moderate request to repair the wrongs she has done and is still doing to the Republic, in the midst of the friendship which the latter has constantly shown her and against the existence of a treaty which establishes this friendship.

Great Britain has violated Venezuelan territory by entering the same through prohibited places; by appointing constables, establishing government offices over which flies the English flag; by carrying off, trying, and punishing a Venezuelan official; by sending thither, accompanied by an armed police force, a magistrate, who has proclaimed those places to be British; by decreeing prohibitions of commerce, by having a revenue cutter to cruise in the space which lies between Amacura and Barima, comprising these rivers within the jurisdiction of the governor of Demerara,

and by authorizing the development of mines inclosed within the soil of the Republic, and by exercising other acts of dominion.

Great Britain has taken upon herself the right of deciding for and by herself, and in her own favor, a question which regards her as much as it does Venezuela.

Great Britain has declared herself to be the coproprietor of the Orinoco, the great fluvial artery of the north of South America, by taking possession of Branch Barima, one of its mouths, and, by this means, of the commerce of vast regions belonging to various countries.

By doing this Great Britain has acted toward Venezuela in a manner which she has blamed in others.

Great Britain has declared to be her property the places which she has just occupied on the sole ground that their boundaries are in dispute with Venezuela.

Great Britain has infringed for her own benefit the convention which she herself proposed to Venezuela in 1850, and has occupied the territory which had been thus guaranteed.

Great Britain pretends to impose conditions upon the erection of a light-house at Point Barima, over which place her own chargé d'affaires, on the 26th of May, 1836, spontaneously recognized the sovereignty of Venezuela.

Great Britain will not apply to Venezuela the arbitration which she applied to the United States of America in 1827 and 1871, to decide upon a question of limits, she herself having repeatedly insisted upon it in the latter case.

Great Britain has progressively increased her own advances from the Essequibo to the Pomaron, the Moroco, the Waini, the Barima, and the Amacura.

Great Britain has therefore violated the rights of sovereignty and of independence of Venezuela, depriving her of the most sacred and inviolable of the properties of a nation, to wit, that of her territory.

Venezuela must not preserve relations of friendship with a nation which has thus offended her, and in consequence suspends them from this day.

And she protests before Her Britannic Majesty's Government, before all civilized nations, before the world in general, against the acts of spoliation committed to her detriment by the Government of Great Britain, which she, at no time and for no consideration, will recognize as capable of altering in the least rights which she has inherited from Spain, and over which she will be ever willing to submit to the decision of a third power, as the only means of solution compatible with her constitutional precepts.

After writing the above note I have received that which your excellency addressed to me, dated on the 19th instant, and in which you inform me, by order of Her Majesty's Government, that the latter, having been apprised of the visit of two Venezuelan commissioners to the portion of territory claimed by Great Britain as belonging to British Guiana, and of what they did there, any interference with British subjects in that locality will not be permitted.

This demonstrates more and more that Great Britain already openly arrogates the jurisdiction over the territory of Venezuelan Guiana, which she has occupied because she claims it and pretends to act therein as the true and exclusive proprietor, without the least regard for the rights of the Republic, who looks upon it as her property. In consequence the Republic can not but ratify, as she does ratify, her previous complaints and protests against a proceeding as arbitrary as it is depressive, which she will always look upon as void and of no effect.

I beg to renew to your excellency the assurances of my highest consideration.

DIEGO B. URBANEJA.

No. 59.

Mr. Scott to Mr. Bayard.

No. 175.]

LEGATION OF THE UNITED STATES,
Caracas, June 21, 1887. (Received July 1.)

SIR: On the 15th of June, 1887, I received a note from Dr. Rafael Seijas, acting minister of foreign affairs, in which he stated that President Guzman Blanco desired to have an interview with me on that day at his residence at 3 o'clock p. m.

In compliance with the wish of the President of Venezuela I was promptly in attendance at the place and time designated in Dr. Seijas's note.

President Guzman Blanco commenced the interview by stating in sum and substance what you will find embraced in the contents of inclosure No. 1 hereto appended. He evinced an earnest desire that the Government of the United States should again use its good offices in behalf of Venezuela in this territorial dispute between Venezuela and Great Britain, and manifested the conviction that now was the time to approach Great Britain as she had evidently receded from her former position, citing as an evidence of the correctness of this belief on his part the withdrawal of her men-of-war from the coast of Venezuela; the reported sending of Mr. Hill in the character of a commissioner to Venezuela; and the actions of the British authorities at Demerara in declaring that "England will not guaranty protection or compensation in case boundary questions decided in favor of Venezuela;" all of which you will find set forth in note No. 257 and embraced in inclosure No. 1.

In consideration of the above-enumerated points or facts, His Excellency President Guzman Blanco thinks and believes that if the Government of the United States, through its minister at London (Mr. Phelps), would approach the British Government in regard to the restoration of diplomatic relations between Great Britain and Venezuela, based on the recognition by both Governments of the convention of 1850, diplomatic relations might be restored and negotiations renewed by the two Governments by which an honorable and satisfactory adjustment of this boundary question might be arrived at by the two countries.

I informed His Excellency President Guzman Blanco that I would with pleasure transmit through this legation any communication that he might desire to make to my Government on the above subject; and any presentation of the case would be submitted to you for consideration and action, and in compliance with his wishes and request I have addressed this dispatch to you and transmit with it inclosure No. 1, which embodied the views as expressed to me by President Guzman Blanco at the interview held at his residence on the 15th instant.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure in No. 175.—Translation.]

No. 257.]

DEPARTMENT OF FOREIGN AFFAIRS,
Caracas, June 15, 1887.

SIR: It is some time since the Government of Venezuela transmitted to that of the United States information and documents regarding the question of boundary between the Republic and British Guiana, requesting their advice and support, in order to settle it in a just manner.

When Great Britain in 1884 entered the field of facts by arrogating jurisdiction as far as Barima and the Amacura, the Washington Cabinet interposed their good offices for the amicable settlement of the misunderstanding.*

In view of the propositions made by the British legation in 1883, for the simultaneous arrangement of the difficulties on limits, additional duties of 30 per cent on goods coming from the Antilles and pecuniary claims, the Government, as your

* This is not quite correctly stated. Mr. Frelinghuysen in 1884 instructed Mr. Lowell to place his good offices at the disposal of Gen. Guzman Blanco to further an adjustment of pending questions. [See Mr. Frelinghuysen to Mr. Lowell, July 7, 1884, Doc. No. 15, *ante.*] But it does not appear that General Guzman sought Mr. Lowell's counsel, or that his good offices were in fact availed of.—EDITOR.

excellency may see by the annexed pamphlet, had conceived the hope that these matters were on the road to a settlement.

This is what decided the appointment of General Guzman Blanco as envoy extraordinary and minister plenipotentiary to London. He commenced negotiations since August, 1884, and these were so far advanced in June, 1885, that the convention was about to be signed by which a satisfactory turn would be given to all. In fact Lord Granville had accepted the application of arbitration to all disagreements which should arise between the two countries, including that on boundaries. In the meantime Lord Salisbury came into office, and one of his first steps was to withdraw what had been agreed upon with Venezuela, while at the same time he fulfilled the promises made to Russia, condemning as opprobrious the breaking of them, although they had been made by his predecessors.

Thus was revived the question of boundaries, which the events of 1884 and 1885 in Venezuela had aggravated. The legation of this Republic courteously set forth their complaints and claims, and insisted upon matters being brought back to the state in which they were on the 18th of November, 1850, when, at the urgent request of the British legation, it was agreed that neither of the parties should occupy the disputed territory. No answer was received to this request.

Far from complying with it, the invasions became more and more marked from July, 1886, decrees being issued through the governor of Demerara, by which the latter's jurisdiction was extended from the Pomaron to the Amacura, the grants of land made by the Venezuelan Government were declared to be void if they referred to those under controversy, and finally, all that territory claimed by Her Majesty was declared to be British.

The remembrance is still fresh of what followed in Caracas until the suspension of relations with Great Britain.

Venezuela again appealed to the United States, and the latter have said that they could not do less than they had done before. They have offered their mediation to Great Britain, but she has rejected it on the ground that she had already rejected that of another power.

This Republic then desired that that one should interest herself in the matter, and demand that Great Britain should evacuate the territory which she had unduly occupied, and that she should accept arbitration for the settlement of the dispute, this being an American question and one in which the United States could not allow a European power to be triumphant and obtain territorial, mercantile, and political advantages.

They have considered it to be their duty to simply continue as mediators for the reestablishment of friendship between the two countries.

Even thus, the President of the Republic believes, as he stated yesterday to your excellency, that, if the United States recommended the evacuation of the territory which has been occupied from the Pomaron to the Amacura, infringing the convention of 1850, so that matters are brought back to the state in which they were in that year, the success would not be doubtful. This belief is strengthened by the fact of the withdrawal from our coasts of the British men-of-war, doubtless through the intervention of the American Government, for which the Republic is deeply grateful; by the news of the coming to Caracas of a Mr. Hill, with the character of commissioner to treat upon the subject, and by the telegram, just received, from the Venezuelan consul in Demerara, which I read to your excellency yesterday, and is as follows: "Andrade, Fortique, Trinidad; telegraph minister; governor declared to colonial assembly England will not guaranty protection or compensation in case boundary question decided in favor of Venezuela."

This step on the part of the British Government clearly shows that they mistrust their pretensions, and it is presumable that it refers to the work in the gold mines which lie on our territory between rivers Cuyuni, Mazaruni, and Puruni. The development thereof has been proceeded with with great spirit and on a large scale in order to form there the nucleus of a population, and make the abandonment thereof more difficult.

It is unnecessary to impress upon your excellency the necessity of carrying out soon these suggestions of Venezuela; as, should England evacuate the territory recently encroached upon, from the Pomaron to Barima, thus recognizing the convention of 1850, Venezuela could reenter into friendly relations with Great Britain and continue seeking, in negotiations, the means of bringing these disputes to an end, as the United States have always endeavored and endeavor to do.

I beg to renew, etc.,

DIEGO B. URBANEJA.

No. 60.

*Mr. Olavarria to Mr. Bayard.*LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, D. C., July 9, 1887.

MY ESTEEMED MR. BAYARD: I am very thankful for your polite note of yesterday, wherewith you send me copies of the communication from Mr. Scott and of the note received by him from my Government in reference to the resumption of diplomatic relations between Venezuela and Great Britain.

* * * * * * *

I am, etc.,

J. A. OLAVARRIA.

No. 61.

Mr. Olavarria to Mr. Bayard.

[Translation.]

LEGATION OF VENEZUELA,
New York, September 22, 1887.

EXCELLENT SIR: Having returned from Venezuela, I have the honor to make my salutations to your excellency in advance, promising myself to present them in person the coming week.

I have just received a cablegram from General Guzman Blanco, minister plenipotentiary of Venezuela at Paris, of to-day's date, in which he directs me to make known to the Government of the United States that the Government of Her Britannic Majesty has sent from Trinidad to La Guayra the war steamer *Pylades* for the purpose of claiming from the Government of Venezuela heavy pecuniary indemnity for subjecting the English schooners *Josephine* and *Henrietta* to legal process, which was done because of violation of the existing laws of Venezuela.

Such alarming news shows evidently that the Government of Her Britannic Majesty, encouraged by the impunity on which it has counted until now for the realization of its unjust designs with regard to Venezuela, far from procuring a pacific and satisfactory agreement on the different questions pending with the latter, is especially eager to complicate them, in order to render less possible every day that equitable solution which has been so fully the endeavor of my country. Exasperated in the extreme as are the people of Venezuela at the scandalous usurpation of an important portion of their territory, the presence of an English war vessel, with hostile intentions, in the principal port of the Republic may become the cause of serious disturbances, which may greatly endanger the international peace which, by superhuman efforts, has been preserved up to the present time.

No occasion is therefore more opportune for the Government of the United States to make that of Her Britannic Majesty feel, in a practical manner, that the saving Monroe doctrine is still in full force, and that the preponderance and influence which this great country preserves intact on the American continent can not be snatched away at the caprice of the first invader. An American squadron sent at once to the coasts of Venezuela would suffice for the objects indicated, and would leave

established at once and forever that without the consent of North America no usurpation whatever is possible upon the continent.

There has never appeared a more alarming aspect than that of to-day in the international controversy I refer to, without anyone being able to deny that it is solely due to the marked sentiment of hostility which for very manifest ends is being developed on the part of the Government of Her Britannic Majesty; but this itself must serve to render more justifiable the active mediation which I have heretofore solicited from the Government of the United States through the worthy medium of your excellency, a mediation more saving now than ever, and which the Government of Venezuela hopes to obtain in the manner I have indicated.

It has always been a pleasure for me to renew, as I now do, to your excellency the assurances of the most distinguished consideration with which I have the honor to be,

Your excellency's very obedient servant,

J. A. OLAVARRIA.

No. 62.

Mr. Scott to Mr. Bayard.

No. 197.]

LEGATION OF THE UNITED STATES,
Caracas, November 4, 1887. (Received November 19.)

SIR: I have the honor to inform you that on the 12th ultimo I was requested by the President and minister of foreign affairs of Venezuela to attend an interview held at the "Casa Amarilla" in relation to a note received from Governor William Robinson, of the island of Trinidad, the contents of said note being embraced in inclosure No. 1, hereto appended.

At the solicitation of President Lopez and Dr. Urbaneja to use my good offices to bring about an honorable and satisfactory settlement of the difficulty between Great Britain and Venezuela in regard to the claims involved in the *Henrietta* and *Josephine* cases, I addressed a note to Sir William Robinson, governor of Trinidad, which you will find in inclosure No. 2, and in inclosure No. 3 you will find the reply of Governor Robinson to my note, which is marked "Confidential."

In inclosure No. 4 you will find copy of a note from Dr. Urbaneja to Mr. St. Chaffray, the dean of the diplomatic corps at Caracas, and in inclosure No. 5 you will find a copy of a note from Dr. Urbaneja to governor of Trinidad and inclosed in his note to Mr. St. Chaffray.

On the 24th ultimo the entire diplomatic corps were invited to meet at the French legation to consider Dr. Urbaneja's note embraced in inclosure No. 4, and the representatives from France, Germany, Spain, Italy, Brazil, Salvador, and the United States were present. After due consultations and conference the members of the diplomatic corps in Caracas arrived at the conclusion which is embodied in the note of Mr. St. Chaffray, the dean of the diplomatic corps, and is contained in inclosure No. 6, and addressed to Dr. Urbaneja, as expressive of the sentiment and conclusions of the diplomatic corps in regard to his note embraced in inclosure No. 4.

In inclosure No. 7 you will find a translation of a note from Dr. Urbaneja to this legation in regard to the protest of the Venezuelan Government against the action of Great Britain in the *Henrietta* and

Josephine matter, and in inclosure No. 8 the reply of this legation to said note.

Inclosure No. 9 contains the protest of Venezuela against what she conceives to be the violent and wrongful action of Great Britain and in which she appeals to the sympathies of other nations.

The numerous inclosures attached to this dispatch will explain to you the whole situation of the subject-matter as it now stands, and all of which is respectfully submitted to your consideration. Venezuela seems to rely on the United States more than any other nation for support and protection, and as soon as difficulty or danger threatens this legation is appealed to, and it has always endeavored to respond in a kind and courteous manner, without compromising or committing its Government in any way.

Hoping that what I have done in this matter will meet with your approval, and holding myself in readiness to obey any instructions that you may have to give in the future relative to this subject,

I have the honor to be, sir, your obedient servant,

CHARLES L. SCOTT.

N. B.—I omitted to state that Venezuela has paid the claims of the *Henrietta* and *Josephine*, amounting, in principal and interest, to about \$40,000, but under protest, as will be seen by reference to inclosure No. 9.

[Inclosure 1 in No. 197.]

Copy of note from Governor Robinson, of Trinidad, to Dr. Urbaneja, minister of foreign affairs of Venezuela.

GOVERNMENT HOUSE,
Trinidad, October 7, 1887.

SIR: On the 13th of November last, Mr. St. John, the British minister at Caracas, acting under the instructions of Her Majesty's Government, demanded reparation by the Venezuelan Government for the unwarrantable seizure of the British vessels *Henrietta* and *Josephine*, and the imprisonment and illtreatment of their crews, which took place at Maturin in May, 1883.

That demand, which was made after repeated and urgent appeals on the part of the British minister, has not only been disregarded, but fresh outrages have been since committed by Venezuelan authorities against British subjects and their property in the cases of British subject Chambers and of British lighter *L'Envieuse* of Trinidad.

Her Majesty's Government can not permit such injuries to remain unredressed, or their representations to be disregarded any longer, and they now demand that within seven days from the delivery of this note the Venezuelan Government do pay to Her Majesty's Government, by way of compensation to the owners of the *Henrietta* and *Josephine* and the crews of those vessels the sum of £6,562, being the equivalent in sterling of \$32,810, already claimed, together with interest at the rate of 5 per cent per annum from the date of seizure of the vessels until the day on which the money is paid, and that they further engage to proceed at once to settle with the officer who will be specially deputed for the purpose by Her Majesty's Government the claims arising out of the cases of Chambers and of *L'Envieuse*.

Failing compliance with the above demands Her Majesty's Government will be reluctantly compelled to instruct the commander of Her Majesty's naval forces in the West Indies to take such measures as he may deem necessary to obtain that reparation which has been vainly sought for by friendly means, and in case of so doing they will hold the Venezuelan Government responsible for any consequences that may arise.

I have the honor to be, sir, your most obedient, humble servant,

WILLIAM ROBINSON,
Governor and Commander in Chief in and over the
Island of Trinidad and its Dependencies, Vice-Admiral thereof, etc.

[Inclosure 2 in No. 197.]

Copy of a note from Mr. Scott to Governor Robinson, of Trinidad.

LEGATION OF THE UNITED STATES,
Caracas, October 12, 1887.

SIR: I have the honor to inform your excellency that on the 12th instant, at 10 o'clock a. m., my presence was solicited by General Lopez, President of Venezuela, and Dr. Urbaneja, minister of exterior relations of Venezuela, at the "Casa Amarilla," to consider a note received from your excellency, dated Trinidad the 7th instant, and relating to the claims of the British Government against Venezuela for damages sustained by some of her subjects in the cases of the *Henrietta* and *Josephine*.

The President of Venezuela and his minister of foreign affairs, Dr. Urbaneja, manifested and evinced every desire to comply with the demands of Great Britain, and informed me that a commissioner would leave at once for Trinidad with authority to negotiate a settlement of the *Henrietta* and *Josephine* cases, but Venezuela could not compatibly with her honor and dignity act in this matter whilst the threat embraced in your note of the 7th instant was pending over her.

My good offices being asked for in this controversy, and entertaining the best friendship for both countries, Great Britain and Venezuela, and earnestly desiring an honorable and satisfactory adjustment of the claims of the *Henrietta* and *Josephine*, I hope your excellency will permit me to suggest as a mutual friend of both parties, the suspension or withdrawal of your note of the 7th instant so that negotiations may at once be opened for the immediate and final settlement of the afore-mentioned claims without further resort to unpleasant measures.

From representations made to me I am satisfied that if the note of the 7th instant is withdrawn temporarily even, that Venezuela will do in the premises that which will prove satisfactory to your Government.

Assuring your excellency that I have only used my good offices in this instance in the interest and welfare of two countries that I entertain the warmest feelings of friendship for, and hoping that you may find it consistent with the honor and interest of your Government to comply with the foregoing suggestions contained in this note, I have the honor, your excellency, with great respect and distinguished consideration, to be

Your obedient servant,

CHARLES L. SCOTT.

[Inclosure 3 in No. 197.]

Copy of a note from Governor William Robinson, of Trinidad, in answer to Mr. Scott's note of the 12th of October, 1887.

[Confidential.]

GOVERNMENT HOUSE,
Trinidad, 20th of October, 1887.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant in reference to the claims of the British Government against that of Venezuela on account of the *Henrietta* and *Josephine*. I have to thank you for your good offices in this matter, and to assure you that Her Majesty's Government have, I believe, been driven to use threats in regard to the settlement of these claims only by the refusal of the Venezuelan Government to discuss and arrange them amicably.

I may add, however, that as the Government of Venezuela regarded the note of the 7th of October as offensive, and appeared desirous of at last settling this long pending question in a friendly spirit, I telegraphed to Her Majesty's Government asking permission to withdraw that note and to substitute a less forcible one for it.

Her Majesty's Government have to-day informed me by telegraph that this arrangement can not be sanctioned.

I have the honor to be, sir, your obedient servant,

WILLIAM ROBINSON.

[Inclosure 4 in No. 197.—Translation.]

Copy of note from Dr. Urbaneja to Mr. St. Chaffray, the dean of the diplomatic corps in Caracas.

CARACAS, October 24, 1887.

YOUR EXCELLENCY: As was agreed in the interview that took place this morning with the diplomatic corps, I have the honor to send herewith the documents which

will inform your excellency and your worthy colleagues in a correct manner of the conflict in which Venezuela finds herself in consequence of the ultimatum of the Government of Great Britain regarding the claims of the *Henrietta* and the *Josephine*.

The Government of Venezuela submits to the consideration of the diplomatic corps the threatening terms in which the payment is exacted and in which she sees an offense offered to the dignity of the Republic.

The Government of Venezuela, being ready to satisfy the sum claimed, has exhausted all the means demanded by circumspection to obtain from Her Britannic Majesty's Government the withdrawal of its menaces without having obtained any result.

It is from this motive that it addresses the representatives of the powers friendly to Venezuela, to signify to them that if the payment is made under the existent coercive terms it is owing to the consideration that the acts that may arise from them will not only injure Venezuelan interests, but also those of subjects or natives of friendly nations so worthily represented by the corps of which you are the doyen.

Consequently the Venezuelan Government brings to the notice of the diplomatic corps the pressing situation in which it finds itself, and has the honor of soliciting its friendly intervention in this affair.

I avail, etc.,

DIEGO B. URBANEJA.

[Inclosure 5 in No. 197.—Translation from the Spanish. D. P. E. No. 389.]

Copy of note from Dr. Urbaneja to Governor of Trinidad, and inclosed in his note to Mr. St. Chaffray.

DEPARTMENT OF FOREIGN AFFAIRS OF
THE UNITED STATES OF VENEZUELA,
Caracas, October 12, 1887.

SIR: I have received your excellency's communication dated in Trinidad on the 7th of the present month, which the chancellor chargé d'affaires of the legation of the German Empire placed closed and sealed in my hands yesterday at 3 o'clock in the afternoon.

I immediately informed the President of the Republic of its contents, and after having well meditated upon it he has requested me to say to your excellency that he infinitely regrets he is obliged to consider as strange [surprising] (extrance), not only the short time fixed, but the communication itself that your excellency addresses to the Venezuelan Government; a communication which he finds himself forced to reject as being offensive to the dignity of the nation and to the equality which, according to the principles of the rights of nations, all countries enjoy without any regard to their strength or weakness.

Notwithstanding, the Government being animated by the best desires to terminate this business according to the principles of equity and justice, his excellency the President of the Republic has decided to send a special commissioner to your excellency with instructions, and to whose words you can give entire faith and credit.

I have, sir, etc.,

DIEGO B. URBANEJA.

I certify the fidelity of this translation. The translator and interpreter of the department of foreign affairs of the United States of Venezuela,

N. VELOZ GOITICOA.

[Inclosure 6 in No. 197.—Translation.]

A copy of the reply of Mr. St. Chaffray, the dean of the diplomatic corps at Caracas, to Dr. Urbaneja.

CARACAS, October 24, 1887.

MR. LE MINISTRE: I have received the note your excellency has addressed to me to-day in my position of dean of the diplomatic body to transmit to me a copy of the dispatch of the governor of Trinidad relative to the affairs of the *Henrietta* and the *Josephine*, as well as the answer of the Venezuelan Government. As it was understood at the meeting held at the "Casa Amarilla," I immediately informed my colleagues of the diplomatic corps, who met at the French legation, of these documents.

After a full examination of the documents communicated to them, the diplomatic corps accredited to the Government of the United States of Venezuela has believed it to be the duty of its members to decide unanimously that it has not in any way to intermeddle in the arrangement of an affair in which the two Governments of Great Britain

and Venezuela are the only ones directly interested. Consequently the diplomatic corps can only tender to his excellency the minister of foreign affairs the expression of the permanency of its sympathy for Venezuela and her Government, and transmit to Dr. Diego B. Urbaneja its wishes for the prompt and satisfactory solution of the affair at present pending. In fine, my colleagues and myself are happy to offer our warmest thanks to the Federal minister for the care he has been pleased to take of the interests of international commerce.

Please accept, etc.,

SAINT CHAFFRAY.

[Inclosure 7 in No. 197.—Translation.]

Copy of a note from Dr. Urbaneja to Mr. Scott in regard to protest of Venezuelan Government.

CARACAS, October 31, 1887.

YOUR EXCELLENCY: With the present communication I have the honor of sending to your excellency an authorized copy of the protest raised by the Venezuelan Government in consequence of the refusal of the British Government to recall the threatening note that it addressed to this department upon the pending claims of the vessels *Henrietta* and *Josephine*.

The President of the Republic hopes that your excellency will be pleased to bring to the knowledge of your Government the document referred to. The Government of Venezuela also intends to soon make a similar communication with all the details relative to this business.

I avail, etc.,

DIEGO B. URBANEJA.

[Inclosure 8 in No. 197.]

Copy of the reply of Mr. Scott to Dr. Urbaneja in regard to transmitting protest to his Government.

Note No. 118.]

LEGATION OF THE UNITED STATES,
Caracas, November 2, 1887.

To His Excellency Dr. DIEGO B. URBANEJA,
Minister of Exterior Relations.

SIR: I have the honor to acknowledge the receipt of your excellency's D. P. E. No. 409, dated the 31st ultimo, with the accompanying "protest raised by the Venezuelan Government in consequence of the refusal of the British Government to recall the threatening note that it addressed to this department upon the pending claims of the vessels *Henrietta* and *Josephine*, with the request that the same be brought to the knowledge of my Government.

I assure your excellency that it will afford this legation pleasure to transmit a copy of said protest to my Government, and any other documents that the Venezuelan Government may desire to submit to the consideration of the United States Government.

The protest received will be duly forwarded by the next mail to Secretary Bayard at Washington.

With renewed assurances of high esteem and distinguished consideration.

CHARLES L. SCOTT.

[Inclosure 9 in No. 197.—Translation.]

Copy of the protest of Venezuela against the action of Great Britain in the Henrietta and Josephine cases.

Pending the consideration of the Venezuelan Government the note of Lord Iddesleigh, minister of foreign affairs of Great Britain, transmitted by Mr. F. R. St. John, minister of that Government in Caracas, and in which are found the following sentiments:

"I have in consequence to order you to repeat the demand of Her Majesty's Government for compensation to the injured parties, which amount, if the principle of responsibility is admitted, can be settled by means of a special examination."

On the 11th of the present October, the note dated in the island of Trinidad, on the 7th of the same month, was received, in which the governor of the said island, in the name of Her Britannic Majesty's Government settles definitively the amount of the claim at \$32,810 together with the interest at the rate of 5 per cent per annum from the date of the seizure of the vessels until the day of payment, fixing as ultimatum the peremptory term of seven days for the delivery of the sum settled, and terminates with the threat that if this is not complied with Her Britannic Majesty's Government would give instructions to the commander of the naval forces in the West Indies to take the measures he thought necessary until the said reparation was obtained.

The Venezuelan Government replied on the 12th of October, the day following the receipt of the note of the governor of Trinidad, expressing its surprise, not only at the short time given, but at the threats toward the Government of Venezuela—threats that it found itself under the necessity of repelling as offensive to the dignity of the nation and to the equality, which according to the principles of the rights of nations is enjoyed by all countries irrespective of their strength or weakness—and terminated manifesting the desire it had to settle the question according to the principles of equity and justice, to which effect it informed him of the nomination of a special commissioner to him. Notwithstanding this, the Government of Her Britannic Majesty has insisted on not recalling the note that contained the sentiments so lowering to the dignity of Venezuela, and insisted that the payment should be immediate, repeating to the commissioner that the commander of the naval forces of Her Majesty in the West Indies would come to make the reparation effective.

In view of the refusal of the British Government to recall the menacing and offensive terms to Venezuela, and the reiterated threat that it would make use of force, notwithstanding the Venezuelan Government having agreed to give a just and equitable indemnity according to the exactions of the precited note of Her Britannic Majesty's minister of foreign affairs, the Venezuelan Government finds itself under the necessity of repelling anew the terms of the threatening note, and solemnly protests, in the name of the Venezuelan nation and before the nations of the Old and New Worlds, against such a proceeding of the British Government, supported only by the superiority of its strength, and not by reason and justice, to which all acts of civilized nations should be adjusted, respecting thus the rights of others, however weak they may be.

Under this protest, and Venezuela reserving to herself all her rights, she has agreed to pay the sum claimed by Great Britain in order to avoid ulterior complications.

Communicate this to the foreign ministers accredited to the Republic, to the governments of friendly nations, and publish it.

For the Federal Executive.

DIEGO B. URBANEJA.

No. 63.

Mr. Scott to Mr. Bayard.

No. 213.]

LEGATION OF THE UNITED STATES,
Caracas, December 31, 1887. (Received January 16.)

SIR: At the request of the Venezuelan Government I have the honor to forward to you a translation of a protest, on file in this legation, protesting against the actions of Great Britain in the "Chambers" and "*L'Envieuse*" cases.

Inclosure No. 1, hereto appended, embraces a translation of said protest, which is respectfully submitted to your consideration at the desire of the Venezuelan Government.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure in No. 213.—Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
DIRECTION OF FOREIGN PUBLIC LAW,
Caracas, December 17, 1887.

PROTEST.

Anew does Great Britain attack the independence and sovereignty of Venezuela; anew she sends to us her vessels of war to impose by force what justice denies, and anew disregards the universal principles of the rights of nations.

It is an international law that every chief of a country can admit or not into his territory the foreigners that come to it, and according to Venezuelan legislation the President is empowered by those same laws to oblige the reembarkation of such foreigner as in his judgment he considers prejudicial to the nation. The diver Richard Gordon Chambers arrived at La Guayra, and the President, being aware of the criminal aim that induced that person to land, thought it his duty to put in practice the right of *renvoi* exercised by Great Britain herself on various occasions, and gave orders for him to leave the country, being under the vigilance of the police until the order of the supreme magistrate should be complied with. Our diplomatic relations with the cabinet of St. James were not yet suspended, and the minister of that country in Caracas, Mr. St. John, to whom it had been notified that if, by the 20th of February of the present year, all the territory that Great Britain keeps unlawfully was not disoccupied, putting in action the *status quo* of 1850, relations with the power he represented would be suspended, supported the claim of Chambers, perhaps with the pretext that later it might serve Great Britain as a point of support for provoking a war which Venezuela avoids at all hazards, as she would be the party to suffer, and this claim was made by Mr. St. John without following the usual course that the law establishes in such cases, thus putting aside the sacred rights that unite civilized nations.

The Government, as is to be supposed, did not admit such claim, and if it admits it now, it is solely basing itself not on the force of reason, but by reason of force.

The other claim is upon the English lighter *L'Envieuse*, that was seized by the Venezuelan authorities in the waters of her territory, having on board contraband goods, without its having been proved, as the law exacts, that it was there by one of the reasons therein enumerated.

Thus Venezuela, from the reasons mentioned, has a perfect right to protest, as she does protest before the nations of one and other continent where law reigns, against the arbitrary proceeding of the British Government, and leaves undisturbed its rights in this case, as it did previously in that of the *Henriette* and *Josephine*.

Let this be communicated to the diplomatic corps accredited to Venezuela, to the chiefs and sovereigns of friendly nations, and let it be known in foreign lands.

For the Federal Executive.

DIEGO B. URBANEJA.

No. 64.

Mr. Olavarria to Mr. Bayard.

[Translation.]

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, D. C., February 15, 1888.

EXCELLENCY: I have just received from the legation of Venezuela in Paris the important dispatch which I have the honor to transcribe to your excellency, as follows:

PARIS, February 3, 1888.

SIR: I send you herewith inclosed a cutting from the *Financier*, of London, the number for January 24. You will thereby see that the English invasions of Venezuelan territory not only continue, but are being boldly extended, and are about to reach the territory of the Yuruari.

On the 29th of November there was proposed to the colonial legislature of Demerara the construction of a railway which, crossing the Mazaruni and Cuyuni rivers, will extend to the boundaries of the colony. In the course of the discussion it was said that the Yuruari district was included within those boundaries. It was the Queen's proctor who alleged this and who demanded urgency in the consideration of the measure.

By the inclosed paper you will perceive that the bill was approved; that an armed force has been dispatched to the Yuruari, and that no resistance was there apprehended, because the Venezuelan inhabitants barely reached one hundred in number, the rest being English. In the same paper is copied a decree of the governor of Demerara, dated December 31, 1887, denying the validity of a contract entered into by the Government of Venezuela for opening a railway from Ciudad Bolivar to Guacipati. It thus appears that they content themselves with no less than the possession of the mining district of the Yuruari, as well as the Orinoco, not merely as far as the Amacura, but up to Ciudad Bolivar. I deem it urgent that you should lay these facts before Mr. Bayard and represent to him the scandalous progress of the British usurpations in Venezuelan territory.

With these facts before you your excellency must be convinced that the British Government in such proceedings follows a preconceived plan, with the object of gaining possession in the shortest time possible of the whole of the territory of Venezuelan Guiana and of the most important of South American rivers.

Already this movement is no longer concealed under pretended boundary rights; it is no longer confined to the capricious lines mapped out by adventurous engineers upon the charts of that important region in obedience to the will which pays them. England has at last declared emphatically that her rights are without limit and embrace whatever regions may be suggested to her by her insatiable thirst for conquest. She even goes so far as to deny the validity of railway grants comprised within territory where not even the wildest dreams of fancy had ever conceived that the day would come when Venezuela's right thereto could be disputed.

The fact is that until now England has relied upon impunity; she beholds us a weak and unfriended nation, and seeks to make the Venezuelan coast and territories the base of a conquest which, if circumstances are not altered, will have no other bounds than the dictates of her own will.

And I can see no reason for such indifference on the part of the sole Government to whom it belongs, if only for its own convenience, to put a stop to such pretensions. I do not see why we are to be denied the inestimable intervention which with such success has been vouchsafed to others. I again implore the Government of the United States, through your excellency, in the trust that this time, in view of the evident and shameless (*descarada*) intention of the English Government, your excellency will find it opportune and necessary to put an end to so great an abuse.

I renew, etc.,

J. A. OLAVARRIA.

[The Financier, Tuesday, January 24, 1888.]

THE BRITISH GUIANA BOUNDARY QUESTION.

By advices just received from Demerara, regarding an official proclamation by the British Guiana Government, a copy of which we publish in another portion of our present issue, it would appear that the promoters and friends of the once illustrious and powerful General Guzman Blanco have met with a severe check in connection with their proposed railway from the Orinoco to the Yuruari district.

The proclamation in question has not been arrived at without full and good consideration by Her Majesty's Government, extending over a period which persons interested consider has been unduly prolonged. Such being the case, it is not likely, as a Georgetown contemporary states, that the Imperial Government, having arrived at certain conclusions, are otherwise than in earnest to settle once and for all this long-pending boundary question. The question has now remained *in statu quo* for nearly half a century, necessarily to the great detriment of the colony, and has retarded, as might have been expected, the internal growth and development of British Guiana. We need hardly say that the moving spirit in bringing all the facts to the knowledge of the British Government has been Mr. Hugh Watt, to whom, therefore, the colony are infinitely indebted for the happy issue which has been tardily but at last arrived at.

A review of the history of the colony since its formation in 1570 leaves, we think, no room for doubt that the Venezuelans have gradually extended their jurisdiction mile by mile to the south until they have become trespassers upon a large amount of British territory. That they should have done so is not astonishing in view of the rich discoveries of gold which were made about 1870.

Since that date it has been amply proven by the large and increasing monthly exportation of gold which has taken place from Las Tablas, the shipping port heretofore for the Yuruari mines, that the region in question is one of the richest gold-producing territories in the world.

The town of Guacipati was formerly the seat of government, and is situated

about 15 miles to the north of the Yuruari River. The British Government, therefore, apparently mean to lay claim to the line indicated by Humboldt, and which has since been ably advocated by Mr. Watt as the northwest boundary between British Guiana and the States of Venezuela.

The energetic action of the colony in dispatching an armed force is worthy of commendation, and we quite agree with a local contemporary, who states that no resistance need be feared, looking at the fact that hardly 100 of the residents south of the Yuruari are Venezuelans, and that nearly all the better class of those as earnestly desire the change of rule as the British or German inhabitants. We understand that nearly all the mines in the district belong to English subjects, and with regard to the population, at least three-fourths, if not a larger percentage, are British subjects, the German element constituting a comparatively small section of the community, and a majority of those being storekeepers or their assistants. We notice that the colony have already taken active steps for the formation of a road to the Yuruari, and that the court of policy have unanimously approved the action.

It now, therefore, only remains to cement this connection by the establishment of railway and telegraphic communication with the mines, which will then place Demerara and the English mining properties, in which from first to last nearly ten millions of money have been sunk, in communication day by day with their superintendents and managers at the mines. It is hardly necessary to add that such communication will once and for all put an end to the difficulties which have arisen from time to time, owing to the fact that the managers at the mines are virtually their own masters, being under no adequate control, and as such were recognized by the Venezuelan code, which declined to recognize the proprietors of these mines, but looked to and held responsible exclusively the resident attorney, who was invariably the superintendent.

The New Chili Gold Mining Company, Limited.—A British Government proclamation.

We are informed by the secretary that this company have received the following telegram from the mines:

"Guacipati, fifth; 900 ounces; nineteen days' work; twenty-five stamps. Strike miners. Works stopped. Ackman."

The agents at Trinidad add the following to the cablegram:

"Above was delayed. Letter 14th advises work resume 16th. Harriman."

The official memorandum states:

"The manager confirms the recent opinions he expressed with regard to the quartz, and in a private letter states that, provided sufficient miners can be obtained to raise quartz enough to keep the sixty stamps running, the return ought now to be as high as during any past period. The miners having again resumed work, there ought therefore be no difficulty with regard to this.

"The mail just to hand being the mid-monthly mail, and leaving the mines a day sooner than was anticipated, the manager's letter is a hurried one."

And the secretary adds the following important intelligence:

"It will be gratifying information to the shareholders of this company to learn that by a public proclamation to the following effect, the territory in which the mines are situated may now be looked upon as British property. This in time will have a revolutionizing effect upon all charges connected with the mines, and, with the prospects at last before the company of good paying quartz, even under the old Venezuelan régime, the directors see no reason why this company should not shortly be in a flourishing condition.

Copy of proclamation.

"BRITISH GUIANA:

"By His Excellency Charles Bruce, esquire, companion of the Most Distinguished Order of St. Michael and St. George, lieutenant-governor and commander in chief in and over the colony of British Guiana, vice-admiral and ordinary of the same, etc.

"Whereas it has come to the knowledge of the Government of British Guiana that certain concessions have been granted by the President and by and with the sanction of the Government of the United States of Venezuela, purporting to give and grant certain rights and privileges for constructing a railway to Guacipati, and in and over certain territories and lands within and forming part of the colony of British Guiana:

"Now, therefore, I do hereby intimate to all whom it may concern that no alleged rights purporting to be claimed under any such concession will be recognized within the said colony of British Guiana, and that all persons found trespassing on or occupying the lands of the colony without the authority of the government of this colony will be dealt with as the law directs.

"Given under my hand and the public seal of the colony of Georgetown, Demerara, this 31st day of December, 1887, and in the fifty-first year of Her Majesty's reign. God save the Queen.

"By his excellency's command.

"GEORGE MELVILLE,
"Acting Government Secretary."

No. 65.

Mr. Bayard to Mr. Phelps.

[Confidential.]

No. 791.]

DEPARTMENT OF STATE,
Washington, February 17, 1888.

SIR: I transmit herewith translation of a note received by me on the 15th instant, wherein the Venezuelan minister sets forth the information lately supplied to him, to the effect that the legislature of Demerara has recently asserted a claim to British jurisdiction over the gold mining district of Caratal, on the headwaters of the Yurauré River, and that by a decree of the governor of British Guiana, dated December 31, 1887, formal denial is made of the validity of a grant by the Venezuelan Government for the construction of a railway from Ciudad Bolívar to Guacipaté, a city in the Caratal district, on the ground that it passes "in and over certain territories and lands within and forming part of the colony of British Guiana."

No other foundation for the minister's statement appears than the article in the *Financier* of January 24, to which Mr. Olavarria's informant refers.

The Government of the United States has hitherto taken an earnest and friendly interest in the question of boundaries so long in dispute between Great Britain and Venezuela, and, so far as its disinterested counsels were admissible, has advocated an amicable, final, and honorable settlement of the dispute. We have followed this course on the assumption that the issue was one of historical fact, eminently adaptable for admitting arbitration, and that the territorial claims of each party had a fixed limit, the right to which would without difficulty be determined according to the evidence.

The claim now stated to have been put forth by the authorities of British Guiana necessarily gives rise to grave disquietude, and creates an apprehension that the territorial claim does not follow historical traditions or evidence, but is apparently indefinite. At no time hitherto does it appear that the district of which Guacipaté is the center has been claimed as British territory or that such jurisdiction has ever been asserted over its inhabitants, and if the reported decree of the governor of British Guiana be indeed genuine it is not apparent how any line of railway from Ciudad Bolívar to Guacipaté could enter or traverse territory within the control of Great Britain.

It is true that the line claimed by Great Britain as the western boundary of British Guiana is uncertain and vague. It is only necessary to examine the British colonial office list for a few years back to perceive this. In the issue for 1877, for instance, the line runs nearly southwardly from the mouth of the Amacura to the junction of the Cotinga and Takutu rivers. In the issue for 1887, ten years later, it makes a wide detour to the westward, following the Yurnaré. Guacipaté lies considerably to the westward of the line officially claimed in 1887; and it may perhaps be instructive to compare with it the map which doubtless will be found in the colonial office list for the present year.

It may be well for you to express anew to Lord Salisbury the great gratification it would afford this Government to see the Venezuelan dispute amicably and honorably settled, by arbitration or otherwise, and our readiness to do anything we properly can to assist in that end.

In the course of your conversation you may refer to the publication

in the London Financier of January 24 (a copy of which you can procure and exhibit to Lord Salisbury), and express apprehension lest the widening pretensions of British Guiana to possess territory over which Venezuelan jurisdiction has never heretofore been disputed may not diminish the chances for a practical settlement.

If, indeed, it should appear that there is no fixed limit to the British boundary claim, our good disposition to aid in a settlement might not only be defeated, but be obliged to give place to a feeling of grave concern.

I append, for your information, a copy of the map recently printed, with the boundary correspondence, by Venezuela, on which are roughly penciled the situation of Guacipaté and the line of demarcation according to the colonial office list for 1887. The line for 1877 nearly follows that shown on the map as "Sir Robert Shomburgk's line."

I am, etc.,

T. F. BAYARD.

[Inclosures.]

1. Mr. Olavarria to Mr. Bayard, February 15, 1888 (printed as Document No. 64, *ante*).
2. Map as above (printed as inclosure to Document No. 58, *ante*).

No. 66.

Mr. Bayard to Señor Olavarria.

DEPARTMENT OF STATE,
Washington, February 18, 1888.

SIR: I have the honor to acknowledge the receipt of your note of the 15th instant, in which you communicate to me information furnished to you by the Venezuelan legation at Paris, to the effect that the legislature of Demerara has recently asserted a claim to British jurisdiction over the country along the Yuruari River; and that by a decree of the governor of British Guiana dated December 31, 1887, denial is made of the validity of a grant by the Venezuelan Government for the construction of a railway from Ciudad Bolivar to Guacipaté, a city in the Caratal mining district, on the ground that the road in question passes "in and over certain territories and lands within, and forming part of, the colony of British Guiana."

No other foundation for the statement made to you by the representative of Venezuela, at Paris, appears than the article in the London Financier of January 24, of which you give me a copy. If you have any further information touching the railway grant mentioned, showing whether the projected road runs only from Ciudad Bolivar to Guacipaté, or branches eastward from the latter point, it might aid in rightly understanding the claim now put forth by the authorities of British Guiana.

Meanwhile I have deemed it proper to send a confidential copy of your note and its inclosure to the United States minister in London, in order that, with fuller information, he might continue to urge an amicable settlement and be better enabled to continue his disinterested rep-

resentations to secure abstinence from unjust or injurious proceedings by the British Government against the interests or jurisdiction of the Republic of Venezuela.

Accept, etc.,

T. F. BAYARD.

No. 67.

Mr. Olavarria to Mr. Bayard.

[Translation.]

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, February 20, 1888.

EXCELLENCY: I have had the honor to receive your excellency's note dated the 18th instant, in which, while acknowledging the receipt of mine of the 15th of the same month, your excellency is pleased to request of me any other information I may possess touching the grant of the projected railway from Ciudad Bolivar to Guacipati which may help to a better understanding of the objection raised by the authorities of British Guiana.

I have likewise read with the greatest thankfulness—a sentiment which I have the honor to express to your excellency in the name of my Government as well as in my own—the information you are pleased to give me that you have instructed his excellency the minister of the United States in London in the sense that he is to endeavor to bring about a friendly settlement, and to continue his disinterested offices to insure the cessation of unjust and prejudicial proceedings on the part of the British Government against the interests and the jurisdiction of the Republic of Venezuela.

The grant for the railway from Ciudad Bolivar to Guacipati does not fix in advance the line of transit, but it is enough to cast a glance at the map of Venezuela to be immediately convinced that the natural line can not embrace any part of the territory of British Guiana, even accepting as legitimate the most advanced frontier line of the three which have been claimed in succession by the British Government from 1840 to 1881.

The grant in question is one to private individuals, who will certainly have no intention, in undertaking the work, to deviate from the most direct and nearest line to the prejudice of their own interests, since nothing else can enter into their calculations than the reduction, as far as possible, of the distance and the cost of the work.

This is why attention is being drawn to the claim of invaded rights put forth by the authorities of British Guiana, a claim that can spring from no justified right, but rests solely on the very recent pretension of extending their frontiers far enough to enable them to seize the rich mining region of the Yuruari. All the steps and invasions of the usurper lead to this end, and only thus can be explained the circumstances of his attempting in advance to judge of a grant so far away from his borders that the act can only be regarded as a confirmation of his new usurpation. And thus will he continue, your excellency, to advance more and more, day by day, ever claiming to be within his boundaries.

Disastrous and fatal consequences would ensue for the independence of South America if, under the pretext of a question of boundaries,

Great Britain should succeed in consummating the usurpation of a third part of our territory and therewith a river so important as the Orinoco. Under the pretext of a mere question of boundaries, which began on the banks of the Essequibo, we now find ourselves on the verge of losing regions lying more than five degrees away from that river; and under the same pretext a stride has been made from Cape Nassau to the seizure of the Island of Barima at the mouth of the Orinoco.

I greatly rely on the friendly and disinterested offices of the Government of the United States; but in the supposition that the British Government will continue to regard the case as a simple question of frontiers, and will keep on protesting that she is operating within her territory, it occurs to me to respectfully suggest to your excellency that the opportunity has come for the Government of the United States, in view of the recent occurrences, to regard the question under a different aspect which will allow of a speedy and definitive settlement through the means of its effective intervention. I am sure that its authoritative voice would be heard with respect.

With the assurance, etc.,

J. A. OLAVARRIA.

No. 68.

Mr. Bayard to Mr. Phelps.

No. 798.]

DEPARTMENT OF STATE,
Washington, February 21, 1888.

SIR: With reference to previous correspondence concerning the boundary question pending between Great Britain and Venezuela, I now inclose herewith for your confidential information a copy of my note of the 18th instant to Mr. Olavarria on the subject, and a translation of his reply thereto of the 20th instant.

I am, etc.,

T. F. BAYARD.

[Inclosures.]

1. Mr. Bayard to Mr. Olavarria, February 18, 1888 (printed as document No. 66, *ante*).
2. Mr. Olavarria to Mr. Bayard, February 20, 1888 (printed as document No. 67, *ante*).

No. 69.

Mr. White to Mr. Bayard.

No. 742.]

LEGATION OF THE UNITED STATES,
London, May 2, 1888. (Received May 14.)

SIR: With reference to previous correspondence respecting the questions at issue between this country and Venezuela, I have the honor to inclose herewith the copy of an answer made yesterday in the House of Commons by Sir James Ferguson, under secretary of state for foreign affairs, to a question asked by Mr. Watt on that subject.

I have, etc.,

HENRY WHITE.

[Inclosure.]

VENEZUELA.

[Extract from The Times, Wednesday, May 2, 1888.]

In reply to Mr. Watt, Sir J. Ferguson said: Her Majesty's Government have not received any notification of the appointment of a new President of Venezuela, and no overtures have been made by him for the resumption of diplomatic relations.

No. 70.

Mr. Scott to Mr. Bayard.

No. 241.]

LEGATION OF THE UNITED STATES,
Caracas, June 23, 1888. (Received July 9.)

SIR: In compliance with the request of Dr. Isturiz, minister of exterior relations, I have the honor of transmitting to you a translation of his note of the 15th instant, in relation to recent action of the authorities at Demerara, which you will find embraced in inclosure No. 1, hereto attached.

I have, etc.,

CHARLES L. SCOTT.

[Inclosure No. 241.—Translation.]

Mr. Isturiz to Mr. Scott.

CARACAS, June 15, 1888.

YOUR EXCELLENCY: After the solemn protest made by this department, on February 20 of last year, against the illegal proceedings of Great Britain upon the question of the Guiana boundaries, against the violation of our territory, the deciding in her own favor a question to which she is a party, the having declared herself as coposessor of the Orinoco, the settling of places whereon to establish herself, the subjecting to conditions the placing of a light-house at Barima, the continuing her incursions of the Essequibo, Pomarón, Moroco, Guayma, Barima, and Amaura, and finally refusing to submit to arbitration the decision of the present controversy of boundaries, the governor of Demerara, with surprising persistency, now decrees the creation of a new colonial district, under the name of the Northeastern District, in the limits of which is included the Venezuelan territory of Barima, and named Bartholomew A. Day as commissary *ad interim*, and the assignment by the legislative assembly of the colony of the sum of \$10,000 to meet the expenses of a permanent occupation of that zone for the purpose of levying contributions and keeping it as a portion of the British jurisdiction. This occurred on the 2d of the present month, in despite of all sense of right and morality. For your excellency must know that at the same time that this occurred in Demerara our representative in Europe was taking confidential preliminary steps that may reestablish the affair on diplomatic ground, in order to arrive at a friendly arrangement that will restore international harmony, based on equity and justice, with regard to the reciprocal rights of both nations; but until this result has been obtained my Government is under the imperative duty of protecting and guarding its rights, protesting, as she does solemnly protest, in due form against this new usurpation of the Government of Demerara in the same manner and with the same force and reason that your excellency has seen in the protest of February 20, 1887.

The Government of the United States of Venezuela therefore renews on this occasion the said protest in all its parts and declares the colonial act of the 2d of the present month a violation of its sovereignty and of its territory, and illegal against its rights as an independent nation over its district of Barima, which have never before been disputed; as it also protests against whatever other act that tends to perturb the exercise of the jurisdiction it exercises and will continue to exercise on the national territory. Hoping that your excellency will take note of this protest, and of the acts that have given rise to it, to communicate them to your Government,

I am, etc.,

N. ISTURIZ.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RELATIVE TO

The Venezuelan boundary controversy; and correspondence with the British Government on the subject.

DECEMBER 17, 1895.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To The Congress:

In my annual message addressed to the Congress on the third instant I called attention to the pending boundary controversy between Great Britain and the Republic of Venezuela and recited the substance of a representation made by this Government to Her Britannic Majesty's Government suggesting reasons why such dispute should be submitted to arbitration for settlement, and inquiring whether it would be so submitted.

The answer of the British Government, which was then awaited, has since been received and, together with the dispatch to which it is a reply, is hereto appended.

Such reply is embodied in two communications addressed by the British Prime Minister to Sir Julian Pauncefote, the British Ambassador at this Capital. It will be seen that one of these communications is devoted exclusively to observations upon the Monroe doctrine, and claims that in the present instance a new and strange extension and development of this doctrine is insisted on by the United States, that the reasons justifying an appeal to the doctrine enunciated by President Monroe are generally inapplicable "to the state of things in which we live at the present day," and especially inapplicable to a controversy involving the boundary line between Great Britain and Venezuela.

Without attempting extended argument in reply to these positions, it may not be amiss to suggest that the doctrine upon which we stand is strong and sound because its enforcement is important to our peace and safety as a nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life, and can not become obsolete while our Republic endures. If the

balance of power is justly a cause for jealous anxiety among the governments of the old world, and a subject for our absolute noninterference, none the less is an observance of the Monroe doctrine of vital concern to our people and their Government.

Assuming, therefore, that we may properly insist upon this doctrine without regard to "the state of things in which we live," or any changed conditions here or elsewhere, it is not apparent why its application may not be invoked in the present controversy.

If a European power, by an extension of its boundaries, takes possession of the territory of one of our neighboring Republics against its will and in derogation of its rights, it is difficult to see why to that extent such European power does not thereby attempt to extend its system of government to that portion of this continent which is thus taken. This is the precise action which President Monroe declared to be "dangerous to our peace and safety," and it can make no difference whether the European system is extended by an advance of frontier or otherwise.

It is also suggested in the British reply that we should not seek to apply the Monroe doctrine to the pending dispute because it does not embody any principle of international law which "is founded on the general consent of nations," and that "no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before, and which has not since been accepted by the Government of any other country."

Practically the principle for which we contend has peculiar if not exclusive relation to the United States. It may not have been admitted in so many words to the code of international law, but since in international councils every nation is entitled to the rights belonging to it, if the enforcement of the Monroe doctrine is something we may justly claim it has its place in the code of international law as certainly and as securely as if it were specifically mentioned, and where the United States is a suitor before the high tribunal that administers international law the question to be determined is whether or not we present claims which the justice of that code of law can find to be right and valid.

The Monroe doctrine finds its recognition in those principles of international law which are based upon the theory that every nation shall have its rights protected and its just claims enforced.

Of course this Government is entirely confident that under the sanction of this doctrine we have clear rights and undoubted claims. Nor is this ignored in the British reply. The Prime Minister, while not admitting that the Monroe doctrine is applicable to present conditions, states: "In declaring that the United States would resist any such enterprise if it was contemplated, President Monroe adopted a policy which received the entire sympathy of the English Government of that

date." He further declares: "Though the language of President Monroe is directed to the attainment of objects which most Englishmen would agree to be salutary, it is impossible to admit that they have been inscribed by any adequate authority in the code of international law." Again he says: "They (Her Majesty's Government) fully concur with the view which President Monroe apparently entertained, that any disturbance of the existing territorial distribution in the hemisphere by any fresh acquisitions on the part of any European State, would be a highly inexpedient change."

In the belief that the doctrine for which we contend was clear and definite, that it was founded upon substantial considerations and involved our safety and welfare, that it was fully applicable to our present conditions and to the state of the world's progress and that it was directly related to the pending controversy and without any conviction as to the final merits of the dispute, but anxious to learn in a satisfactory and conclusive manner whether Great Britain sought, under a claim of boundary, to extend her possessions on this continent without right, or whether she merely sought possession of territory fairly included within her lines of ownership, this Government proposed to the Government of Great Britain a resort to arbitration as the proper means of settling the question to the end that a vexatious boundary dispute between the two contestants might be determined and our exact standing and relation in respect to the controversy might be made clear.

It will be seen from the correspondence herewith submitted that this proposition has been declined by the British Government, upon grounds which in the circumstances seem to me to be far from satisfactory. It is deeply disappointing that such an appeal actuated by the most friendly feelings towards both nations directly concerned, addressed to the sense of justice and to the magnanimity of one of the great powers of the world and touching its relations to one comparatively weak and small, should have produced no better results.

The course to be pursued by this Government in view of the present condition does not appear to admit of serious doubt. Having labored faithfully for many years to induce Great Britain to submit this dispute to impartial arbitration, and having been now finally apprized of her refusal to do so, nothing remains but to accept the situation, to recognize its plain requirements and deal with it accordingly. Great Britain's present proposition has never thus far been regarded as admissible by Venezuela, though any adjustment of the boundary which that country may deem for her advantage and may enter into of her own free will cannot of course be objected to by the United States.

Assuming, however, that the attitude of Venezuela will remain unchanged, the dispute has reached such a stage as to make it now incumbent upon the United States to take measures to determine with sufficient certainty for its justification what is the true divisional line between the Republic of Venezuela and British Guiana. The inquiry

to that end should of course be conducted carefully and judicially and due weight should be given to all available evidence records and facts in support of the claims of both parties.

In order that such an examination should be prosecuted in a thorough and satisfactory manner I suggest that the Congress make an adequate appropriation for the expenses of a Commission, to be appointed by the Executive, who shall make the necessary investigation and report upon the matter with the least possible delay. When such report is made and accepted it will in my opinion be the duty of the United States to resist by every means in its power as a willful aggression upon its rights and interests the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela.

In making these recommendations I am fully alive to the responsibility incurred, and keenly realize all the consequences that may follow.

I am nevertheless firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking peoples of the world as being otherwise than friendly competitors in the onward march of civilization, and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice and the consequent loss of national self respect and honor beneath which are shielded and defended a people's safety and greatness.

GROVER CLEVELAND.

EXECUTIVE MANSION,
December 17, 1895.

Mr. Olney to Mr. Bayard.

No. 804.]

DEPARTMENT OF STATE,
Washington, July 20, 1895.

HIS EXCELLENCY THOMAS F. BAYARD,
Etc., etc., etc., London.

SIR: I am directed by the President to communicate to you his views upon a subject to which he has given much anxious thought and respecting which he has not reached a conclusion without a lively sense of its great importance as well as of the serious responsibility involved in any action now to be taken.

It is not proposed, and for present purposes is not necessary, to enter into any detailed account of the controversy between Great Britain and Venezuela respecting the western frontier of the colony of British Guiana. The dispute is of ancient date and began at least as early as the time when Great Britain acquired by the treaty with the Netherlands of 1814 "the establishments of Demerara, Essequibo, and Berbice." From that time to the present the dividing line between these "establishments" (now called British Guiana) and Venezuela has never ceased to be a subject of contention. The claims of both parties, it

must be conceded, are of a somewhat indefinite nature. On the one hand Venezuela, in every constitution of government since she became an independent State, has declared her territorial limits to be those of the Captaincy General of Venezuela in 1810. Yet, out of "moderation and prudence," it is said, she has contented herself with claiming the Essequibo line—the line of the Essequibo River, that is—to be the true boundary between Venezuela and British Guiana. On the other hand, at least an equal degree of indefiniteness distinguishes the claim of Great Britain.

It does not seem to be asserted, for instance, that in 1814 the "establishments" then acquired by Great Britain had any clearly defined western limits which can now be identified and which are either the limits insisted upon to-day, or, being the original limits, have been the basis of legitimate territorial extensions. On the contrary, having the actual possession of a district called the Pomaron district, she apparently remained indifferent as to the exact area of the colony until 1840, when she commissioned an engineer, Sir Robert Schomburgk, to examine and lay down its boundaries. The result was the Schomburgk line which was fixed by metes and bounds, was delineated on maps, and was at first indicated on the face of the country itself by posts, monograms, and other like symbols. If it was expected that Venezuela would acquiesce in this line, the expectation was doomed to speedy disappointment. Venezuela at once protested and with such vigor and to such purpose that the line was explained to be only tentative—part of a general boundary scheme concerning Brazil and the Netherlands as well as Venezuela—and the monuments of the line set up by Schomburgk were removed by the express order of Lord Aberdeen. Under these circumstances, it seems impossible to treat the Schomburgk line as being the boundary claimed by Great Britain as matter of right, or as anything but a line originating in considerations of convenience and expediency. Since 1840 various other boundary lines have from time to time been indicated by Great Britain, but all as conventional lines—lines to which Venezuela's assent has been desired but which in no instance, it is believed, have been demanded as matter of right. Thus neither of the parties is to-day standing for the boundary line predicated upon strict legal right—Great Britain having formulated no such claim at all, while Venezuela insists upon the Essequibo line only as a liberal concession to her antagonist.

Several other features of the situation remain to be briefly noticed—the continuous growth of the undefined British claim, the fate of the various attempts at arbitration of the controversy, and the part in the matter heretofore taken by the United States. As already seen, the exploitation of the Schomburgk line in 1840 was at once followed by the protest of Venezuela and by proceedings on the part of Great Britain which could fairly be interpreted only as a disavowal of that line. Indeed—in addition to the facts already noticed—Lord Aberdeen himself in 1844 proposed a line beginning at the River Moroco, a distinct abandonment of the Schomburgk line. Notwithstanding this, however, every change in the British claim since that time has moved the frontier of British Guiana farther and farther to the westward of the line thus proposed. The Granville line of 1881 placed the starting point at a distance of twenty-nine miles from the Moroco in the direction of Punta Barima. The Rosebery line of 1886 placed it west of the Guaima River, and about that time, if the British authority known as the Statesman's Year Book is to be relied upon, the area of British Guiana was suddenly enlarged by some 33,000 square miles—being

stated as 76,000 square miles in 1885 and 109,000 square miles in 1887. The Salisbury line of 1890 fixed the starting point of the line in the mouth of the Amacuro west of the Punta Barima on the Orinoco. And finally, in 1893, a second Rosebery line carried the boundary from a point to the west of the Amacuro as far as the source of the Cumano River and the Sierra of Usupamo. Nor have the various claims thus enumerated been claims on paper merely. An exercise of jurisdiction corresponding more or less to such claims has accompanied or followed closely upon each and has been the more irritating and unjustifiable if, as is alleged, an agreement made in the year 1850 bound both parties to refrain from such occupation pending the settlement of the dispute.

While the British claim has been developing in the manner above described, Venezuela has made earnest and repeated efforts to have the question of boundary settled. Indeed, allowance being made for the distractions of a war of independence and for frequent internal revolutions, it may be fairly said that Venezuela has never ceased to strive for its adjustment. It could, of course, do so only through peaceful methods, any resort to force as against its powerful adversary being out of the question. Accordingly, shortly after the drawing of the Schomburgk line, an effort was made to settle the boundary by treaty and was apparently progressing towards a successful issue when the negotiations were brought to an end in 1844 by the death of the Venezuelan plenipotentiary.

In 1848 Venezuela entered upon a period of civil commotions which lasted for more than a quarter of a century, and the negotiations thus interrupted in 1844 were not resumed until 1876. In that year Venezuela offered to close the dispute by accepting the Moroco line proposed by Lord Aberdeen. But, without giving reasons for his refusal, Lord Granville rejected the proposal and suggested a new line comprehending a large tract of territory all pretension to which seemed to have been abandoned by the previous action of Lord Aberdeen. Venezuela refused to assent to it, and negotiations dragged along without result until 1882, when Venezuela concluded that the only course open to her was arbitration of the controversy. Before she had made any definite proposition, however, Great Britain took the initiative by suggesting the making of a treaty which should determine various other questions as well as that of the disputed boundary. The result was that a treaty was practically agreed upon with the Gladstone government in 1886 containing a general arbitration clause under which the parties might have submitted the boundary dispute to the decision of a third power or of several powers in amity with both.

Before the actual signing of the treaty, however, the administration of Mr. Gladstone was superseded by that of Lord Salisbury, which declined to accede to the arbitration clause of the treaty notwithstanding the reasonable expectations of Venezuela to the contrary based upon the Premier's emphatic declaration in the House of Lords that no serious government would think of not respecting the engagements of its predecessor. Since then Venezuela on the one side has been offering and calling for arbitration, while Great Britain on the other has responded by insisting upon the condition that any arbitration should relate only to such of the disputed territory as lies west of a line designated by herself. As this condition seemed inadmissible to Venezuela and as, while the negotiations were pending, new appropriations of what is claimed to be Venezuelan territory continued to be made, Venezuela in 1887 suspended diplomatic relations with Great

Britain, protesting "before Her British Majesty's Government, before all civilized nations and before the world in general, against the acts of spoliation committed to her detriment by the Government of Great Britain, which she at no time and on no account will recognize as capable of altering in the least the rights which she has inherited from Spain and respecting which she will ever be willing to submit to the decision of a third power."

Diplomatic relations have not since been restored, though what is claimed to be new and flagrant British aggressions forced Venezuela to resume negotiations on the boundary question—in 1890, through its Minister in Paris and a special envoy on that subject—and in 1893, through a confidential agent, Señor Michelena. These negotiations, however, met with the fate of other like previous negotiations—Great Britain refusing to arbitrate except as to territory west of an arbitrary line drawn by herself. All attempts in that direction definitely terminated in October, 1893, when Señor Michelena filed with the Foreign Office the following declaration:

I perform a most strict duty in raising again in the name of the Government of Venezuela a most solemn protest against the proceedings of the Colony of British Guiana, constituting encroachments upon the territory of the Republic, and against the declaration contained in Your Excellency's communication that Her Britannic Majesty's Government considers that part of the territory as pertaining to British Guiana and admits no claim to it on the part of Venezuela. In support of this protest I reproduce all the arguments presented to Your Excellency in my note of 29 of last September and those which have been exhibited by the Government of Venezuela on the various occasions they have raised the same protest.

I lay on Her Britannic Majesty's Government the entire responsibility of the incidents that may arise in the future from the necessity to which Venezuela has been driven to oppose by all possible means the dispossession of a part of her territory, for by disregarding her just representation to put an end to this violent state of affairs through the decision of arbiters, Her Majesty's Government ignores her rights and imposes upon her the painful though peremptory duty of providing for her own legitimate defense.

To the territorial controversy between Great Britain and the Republic of Venezuela, thus briefly outlined, the United States has not been and, indeed, in view of its traditional policy, could not be indifferent. The note to the British Foreign Office by which Venezuela opened negotiations in 1876 was at once communicated to this Government. In January, 1881, a letter of the Venezuelan Minister at Washington, respecting certain alleged demonstrations at the mouth of the Orinoco, was thus answered by Mr. Evarts, then Secretary of State:

In reply I have to inform you that in view of the deep interest which the Government of the United States takes in all transactions tending to attempted encroachments of foreign powers upon the territory of any of the Republics of this continent, this Government could not look with indifference to the forcible acquisition of such territory by England if the mission of the vessels now at the mouth of the Orinoco should be found to be for that end. This Government awaits, therefore, with natural concern the more particular statements promised by the Government of Venezuela, which it hopes will not be long delayed.

In the February following, Mr. Evarts wrote again on the same subject as follows:

Referring to your note of the 21st of December last, touching the operations of certain British war vessels in and near the mouth of the Orinoco River and to my reply thereto of the 31st ultimo as well as to the recent occasions in which the subject has been mentioned in our conferences concerning the business of your mission, I take it to be fitting now at the close of my incumbency of the office I hold to advert to the interest with which the Government of the United States cannot fail to regard any such purpose with respect to the control of American territory as is stated to be contemplated by the Government of Great Britain and to express my regret that the further information promised in your note with regard to such designs had not reached me in season to receive the attention which, notwithstanding the severe pressure of

public business at the end of an administrative term, I should have taken pleasure in bestowing upon it. I doubt not, however, that your representations in fulfillment of the awaited additional orders of your Government will have like earnest and solicitous consideration at the hands of my successor.

In November, 1882, the then state of negotiations with Great Britain together with a copy of an intended note suggesting recourse to arbitration was communicated to the Secretary of State by the President of Venezuela with the expression of the hope that the United States would give him its opinion and advice and such support as it deemed possible to offer Venezuela in order that justice should be done her. Mr. Frelinghuysen replied in a dispatch to the United States Minister at Caracas as follows:

This Government has already expressed its view that arbitration of such disputes is a convenient resort in the case of failure to come to a mutual understanding, and intimated its willingness, if Venezuela should so desire, to propose to Great Britain such a mode of settlement. It is felt that the tender of good offices would not be so profitable if the United States were to approach Great Britain as the advocate of any prejudged solution in favor of Venezuela. So far as the United States can counsel and assist Venezuela it believes it best to confine its reply to the renewal of the suggestion of arbitration and the offer of all its good offices in that direction. This suggestion is the more easily made, since it appears, from the instruction sent by Señor Seijas to the Venezuelan Minister in London on the same 15th of July, 1882, that the President of Venezuela proposed to the British Government the submission of the dispute to arbitration by a third power.

You will take an early occasion to present the foregoing considerations to Señor Seijas, saying to him that, while trusting that the direct proposal for arbitration already made to Great Britain may bear good fruit (if, indeed, it has not already done so by its acceptance in principle), the Government of the United States will cheerfully lend any needful aid to press upon Great Britain in a friendly way the proposition so made, and at the same time you will say to Señor Seijas (in personal conference, and not with the formality of a written communication) that the United States, while advocating strongly the recourse of arbitration for the adjustment of international disputes affecting the states of America, does not seek to put itself forward as their arbiter; that, viewing all such questions impartially and with no intent or desire to prejudice their merits, the United States will not refuse its arbitration if asked by both parties, and that, regarding all such questions as essentially and distinctively American, the United States would always prefer to see such contentions adjusted through the arbitrament of an American rather than an European power.

In 1884 General Guzman Blanco, the Venezuelan Minister to England appointed with special reference to pending negotiations for a general treaty with Great Britain, visited Washington on his way to London and, after several conferences with the Secretary of State respecting the objects of his mission, was thus commended to the good offices of Mr. Lowell, our Minister at St. James':

It will necessarily be somewhat within your discretion how far your good offices may be profitably employed with Her Majesty's Government to these ends, and at any rate you may take proper occasion to let Lord Granville know that we are not without concern as to whatever may affect the interests of a sister Republic of the American continent and its position in the family of nations.

If General Guzman should apply to you for advice or assistance in realizing the purposes of his mission you will show him proper consideration, and without committing the United States to any determinate political solution you will endeavor to carry out the views of this instruction.

The progress of Gen. Guzman's negotiations did not fail to be observed by this Government and in December, 1886, with a view to preventing the rupture of diplomatic relations—which actually took place in February following—the then Secretary of State, Mr. Bayard, instructed our Minister to Great Britain to tender the arbitration of the United States, in the following terms:

It does not appear that at any time heretofore the good offices of this Government have been actually tendered to avert a rupture between Great Britain and Venezuela. As intimated in my No. 58, our inaction in this regard would seem to be due

to the reluctance of Venezuela to have the Government of the United States take any steps having relation to the action of the British Government which might, in appearance even, prejudice the resort to further arbitration or mediation which Venezuela desired. Nevertheless, the records abundantly testify our friendly concern in the adjustment of the dispute; and the intelligence now received warrants me in tendering through you to Her Majesty's Government the good offices of the United States to promote an amicable settlement of the respective claims of Great Britain and Venezuela in the premises.

As proof of the impartiality with which we view the question, we offer our arbitration, if acceptable to both countries. We do this with the less hesitancy as the dispute turns upon simple and readily ascertainable historical facts.

Her Majesty's Government will readily understand that this attitude of friendly neutrality and entire impartiality touching the merits of the controversy, consisting wholly in a difference of facts between our friends and neighbors, is entirely consistent and compatible with the sense of responsibility that rests upon the United States in relation to the South American republics. The doctrines we announced two generations ago, at the instance and with the moral support and approval of the British Government, have lost none of their force or importance in the progress of time and the Governments of Great Britain and the United States are equally interested in conserving a status, the wisdom of which has been demonstrated by the experience of more than half a century.

It is proper, therefore, that you should convey to Lord Iddesleigh, in such sufficiently guarded terms as your discretion may dictate, the satisfaction that would be felt by the Government of the United States in perceiving that its wishes in this regard were permitted to have influence with Her Majesty's Government.

This offer of mediation was declined by Great Britain, with the statement that a similar offer had already been received from another quarter, and that the Queen's Government were still not without hope of a settlement by direct diplomatic negotiations. In February, 1888, having been informed that the Governor of British Guiana had by formal decree laid claim to the territory traversed by the route of a proposed railway from Ciudad Bolivar to Guacipati, Mr. Bayard addressed a note to our Minister to England, from which the following extracts are taken:

The claim now stated to have been put forth by the authorities of British Guiana necessarily gives rise to grave disquietude, and creates an apprehension that the territorial claim does not follow historical traditions or evidence, but is apparently indefinite. At no time hitherto does it appear that the district, of which Guacipati is the center, has been claimed as British territory or that such jurisdiction has ever been asserted over its inhabitants, and if the reported decree of the Governor of British Guiana be indeed genuine it is not apparent how any line of railway from Ciudad Bolivar to Guacipati could enter or traverse territory within the control of Great Britain.

It is true that the line claimed by Great Britain as the western boundary of British Guiana is uncertain and vague. It is only necessary to examine the British Colonial Office List for a few years back to perceive this. In the issue for 1877, for instance, the line runs nearly southwardly from the mouth of the Amacuro to the junction of the Cotinga and Takutu rivers. In the issue of 1887, ten years later, it makes a wide detour to the westward, following the Yuruari. Guacipati lies considerably to the westward of the line officially claimed in 1887, and it may perhaps be instructive to compare with it the map which doubtless will be found in the Colonial Office List for the present year.

It may be well for you to express anew to Lord Salisbury the great gratification it would afford this Government to see the Venezuelan dispute amicably and honorably settled by arbitration or otherwise and our readiness to do anything we properly can to assist to that end.

In the course of your conversation you may refer to the publication in the London *Financier* of January 24 (a copy of which you can procure and exhibit to Lord Salisbury) and express apprehension lest the widening pretensions of British Guiana to possess territory over which Venezuela's jurisdiction has never heretofore been disputed may not diminish the chances for a practical settlement.

If, indeed, it should appear that there is no fixed limit to the British boundary claim, our good disposition to aid in a settlement might not only be defeated, but be obliged to give place to a feeling of grave concern.

In 1889, information having been received that Barima, at the mouth of the Orinoco, had been declared a British port, Mr. Blaine, then Secretary of State, authorized Mr. White to confer with Lord Salisbury

for the re-establishment of diplomatic relations between Great Britain and Venezuela on the basis of a temporary restoration of the *status quo*, and May 1 and May 6, 1890, sent the following telegrams to our Minister to England, Mr. Lincoln: (May 1, 1890)

Mr. Lincoln is instructed to use his good offices with Lord Salisbury to bring about the resumption of diplomatic intercourse between Great Britain and Venezuela as a preliminary step towards the settlement of the boundary dispute by arbitration. The joint proposals of Great Britain and the United States towards Portugal which have just been brought about would seem to make the present time propitious for submitting this question to an international arbitration. He is requested to propose to Lord Salisbury, with a view to an accommodation, that an informal conference be had in Washington or in London of representatives of the three Powers. In such conference the position of the United States is one solely of impartial friendship toward both litigants.

(May 6, 1890)—

It is, nevertheless desired that you shall do all you can consistently with our attitude of impartial friendship to induce some accord between the contestants by which the merits of the controversy may be fairly ascertained and the rights of each party justly confirmed. The neutral position of this Government does not comport with any expression of opinion on the part of this Department as to what these rights are, but it is confident that the shifting footing on which the British boundary question has rested for several years past is an obstacle to such a correct appreciation of the nature and grounds of her claim as would alone warrant the formation of any opinion.

In the course of the same year, 1890, Venezuela sent to London a special envoy to bring about the resumption of diplomatic relations with Great Britain through the good offices of the United States Minister. But the mission failed because a condition of such resumption, steadily adhered to by Venezuela, was the reference of the boundary dispute to arbitration. Since the close of the negotiations initiated by Señor Michelena in 1893, Venezuela has repeatedly brought the controversy to the notice of the United States, has insisted upon its importance to the United States as well as to Venezuela, has represented it to have reached an acute stage—making definite action by the United States imperative—and has not ceased to solicit the services and support of the United States in aid of its final adjustment. These appeals have not been received with indifference and our Ambassador to Great Britain has been uniformly instructed to exert all his influence in the direction of the re-establishment of diplomatic relations between Great Britain and Venezuela and in favor of arbitration of the boundary controversy. The Secretary of State in a communication to Mr. Bayard, bearing date July 13, 1894, used the following language:

The President is inspired by a desire for a peaceable and honorable settlement of the existing difficulties between an American state and a powerful transatlantic nation, and would be glad to see the re-establishment of such diplomatic relations between them as would promote that end.

I can discern but two equitable solutions of the present controversy. One is the arbitral determination of the rights of the disputants as the respective successors to the historical rights of Holland and Spain over the region in question. The other is to create a new boundary line in accordance with the dictates of mutual expediency and consideration. The two Governments having so far been unable to agree on a conventional line, the consistent and conspicuous advocacy by the United States and England of the principle of arbitration and their recourse thereto in settlement of important questions arising between them, makes such a mode of adjustment especially appropriate in the present instance, and this Government will gladly do what it can to further a determination in that sense.

Subsequent communications to Mr. Bayard direct him to ascertain whether a Minister from Venezuela would be received by Great Britain. In the annual Message to Congress of December 3d last, the President used the following language:

The boundary of British Guiana still remains in dispute between Great Britain and Venezuela. Believing that its early settlement, on some just basis alike honor-

able to both parties, is in the line of our established policy to remove from this hemisphere all causes of difference with powers beyond the sea, I shall renew the efforts heretofore made to bring about a restoration of diplomatic relations between the disputants and to induce a reference to arbitration, a resort which Great Britain so conspicuously favors in principle and respects in practice and which is earnestly sought by her weaker adversary.

And February 22, 1895, a joint resolution of Congress declared

That the President's suggestion * * * that Great Britain and Venezuela refer their dispute as to boundaries to friendly arbitration be earnestly recommended to the favorable consideration of both parties in interest.

The important features of the existing situation, as shown by the foregoing recital, may be briefly stated.

1. The title to territory of indefinite but confessedly very large extent is in dispute between Great Britain on the one hand and the South American Republic of Venezuela on the other.

2. The disparity in the strength of the claimants is such that Venezuela can hope to establish her claim only through peaceful methods—through an agreement with her adversary either upon the subject itself or upon an arbitration.

3. The controversy, with varying claims on the part of Great Britain, has existed for more than half a century, during which period many earnest and persistent efforts of Venezuela to establish a boundary by agreement have proved unsuccessful.

4. The futility of the endeavor to obtain a conventional line being recognized, Venezuela for a quarter of a century has asked and striven for arbitration.

5. Great Britain, however, has always and continuously refused to arbitrate, except upon the condition of a renunciation of a large part of the Venezuelan claim and of a concession to herself of a large share of the territory in controversy.

6. By the frequent interposition of its good offices at the instance of Venezuela, by constantly urging and promoting the restoration of diplomatic relations between the two countries, by pressing for arbitration of the disputed boundary, by offering to act as arbitrator, by expressing its grave concern whenever new alleged instances of British aggression upon Venezuelan territory have been brought to its notice, the Government of the United States has made it clear to Great Britain and to the world that the controversy is one in which both its honor and its interests are involved and the continuance of which it can not regard with indifference.

The accuracy of the foregoing analysis of the existing status cannot, it is believed, be challenged. It shows that status to be such that those charged with the interests of the United States are now forced to determine exactly what those interests are and what course of action they require. It compels them to decide to what extent, if any, the United States may and should intervene in a controversy between and primarily concerning only Great Britain and Venezuela and to decide how far it is bound to see that the integrity of Venezuelan territory is not impaired by the pretensions of its powerful antagonist. Are any such right and duty devolved upon the United States? If not, the United States has already done all, if not more than all, that a purely sentimental interest in the affairs of the two countries justifies, and to push its interposition further would be unbecoming and undignified and might well subject it to the charge of impertinent intermeddling with affairs with which it has no rightful concern. On the other hand, if any such right and duty exist, their due exercise and discharge will

not permit of any action that shall not be efficient and that, if the power of the United States is adequate, shall not result in the accomplishment of the end in view. The question thus presented, as matter of principle and regard being had to the settled national policy, does not seem difficult of solution. Yet the momentous practical consequences dependent upon its determination require that it should be carefully considered and that the grounds of the conclusion arrived at should be fully and frankly stated.

That there are circumstances under which a nation may justly interpose in a controversy to which two or more other nations are the direct and immediate parties is an admitted canon of international law. The doctrine is ordinarily expressed in terms of the most general character and is perhaps incapable of more specific statement. It is declared in substance that a nation may avail itself of this right whenever what is done or proposed by any of the parties primarily concerned is a serious and direct menace to its own integrity, tranquillity, or welfare. The propriety of the rule when applied in good faith will not be questioned in any quarter. On the other hand, it is an inevitable though unfortunate consequence of the wide scope of the rule that it has only too often been made a cloak for schemes of wanton spoliation and aggrandizement. We are concerned at this time, however, not so much with the general rule as with a form of it which is peculiarly and distinctively American. Washington, in the solemn admonitions of the Farewell Address, explicitly warned his countrymen against entanglements with the politics or the controversies of European powers.

Europe, [he said,] has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities. Our detached and distant situation invites and enables us to pursue a different course.

During the administration of President Monroe this doctrine of the Farewell Address was first considered in all its aspects and with a view to all its practical consequences. The Farewell Address, while it took America out of the field of European politics, was silent as to the part Europe might be permitted to play in America. Doubtless it was thought the latest addition to the family of nations should not make haste to prescribe rules for the guidance of its older members, and the expediency and propriety of serving the powers of Europe with notice of a complete and distinctive American policy excluding them from interference with American political affairs might well seem dubious to a generation to whom the French alliance, with its manifold advantages to the cause of American independence, was fresh in mind.

Twenty years later, however, the situation had changed. The lately born nation had greatly increased in power and resources, had demonstrated its strength on land and sea and as well in the conflicts of arms as in the pursuits of peace, and had begun to realize the commanding position on this continent which the character of its people, their free institutions, and their remoteness from the chief scene of European contentions combined to give to it. The Monroe administration therefore did not hesitate to accept and apply the logic of the Farewell Address by declaring in effect that American non intervention in European affairs necessarily implied and meant European non-intervention in American affairs. Conceiving unquestionably that complete European non-interference in American concerns would be cheaply purchased by complete American non-interference in European concerns, President

Monroe, in the celebrated Message of December 2, 1823, used the following language:

In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparations for our defense. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

With the existing colonies or dependencies of any European power, we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. * * * Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.

The Monroe administration, however, did not content itself with formulating a correct rule for the regulation of the relations between Europe and America. It aimed at also securing the practical benefits to result from the application of the rule. Hence the message just quoted declared that the American continents were fully occupied and were not the subjects for future colonization by European powers. To this spirit and this purpose, also, are to be attributed the passages of the same message which treat any infringement of the rule against interference in American affairs on the part of the powers of Europe as an act of unfriendliness to the United States. It was realized that it was futile to lay down such a rule unless its observance could be enforced. It was manifest that the United States was the only power in this hemisphere capable of enforcing it. It was therefore courageously declared not merely that Europe ought not to interfere in American affairs, but that any European power doing so would be regarded as antagonizing the interests and inviting the opposition of the United States.

That America is in no part open to colonization, though the proposition was not universally admitted at the time of its first enunciation, has long been universally conceded. We are now concerned, therefore, only with that other practical application of the Monroe doctrine the disregard of which by an European power is to be deemed an act of unfriendliness towards the United States. The precise scope and limitations of this rule cannot be too clearly apprehended. It does not establish any general protectorate by the United States over other American states. It does not relieve any American state from its obligations as fixed by international law nor prevent any European power directly interested from enforcing such obligations or from inflicting merited punishment for the breach of them. It does not contemplate

any interference in the internal affairs of any American state or in the relations between it and other American states. It does not justify any attempt on our part to change the established form of government of any American state or to prevent the people of such state from altering that form according to their own will and pleasure. The rule in question has but a single purpose and object. It is that no European power or combination of European powers shall forcibly deprive an American state of the right and power of self-government and of shaping for itself its own political fortunes and destinies.

That the rule thus defined has been the accepted public law of this country ever since its promulgation cannot fairly be denied. Its pronouncement by the Monroe administration at that particular time was unquestionably due to the inspiration of Great Britain, who at once gave to it an open and unqualified adhesion which has never been withdrawn. But the rule was decided upon and formulated by the Monroe administration as a distinctively American doctrine of great import to the safety and welfare of the United States after the most careful consideration by a Cabinet which numbered among its members John Quincy Adams, Calhoun, Crawford, and Wirt, and which before acting took both Jefferson and Madison into its counsels. Its promulgation was received with acclaim by the entire people of the country irrespective of party. Three years after, Webster declared that the doctrine involved the honor of the country. "I look upon it," he said, "as part of its treasures of reputation, and for one I intend to guard it," and he added,

I look on the message of December, 1823, as forming a bright page in our history. I will help neither to erase it nor to tear it out; nor shall it be by any act of mine blurred or blotted. It did honor to the sagacity of the Government, and I will not diminish that honor.

Though the rule thus highly eulogized by Webster has never been formally affirmed by Congress, the House in 1864 declared against the Mexican monarchy sought to be set up by the French as not in accord with the policy of the United States, and in 1889 the Senate expressed its disapproval of the connection of any European power with a canal across the Isthmus of Darien or Central America. It is manifest that, if a rule has been openly and uniformly declared and acted upon by the executive branch of the Government for more than seventy years without express repudiation by Congress, it must be conclusively presumed to have its sanction. Yet it is certainly no more than the exact truth to say that every administration since President Monroe's has had occasion, and sometimes more occasions than one, to examine and consider the Monroe doctrine and has in each instance given it emphatic endorsement. Presidents have dwelt upon it in messages to Congress and Secretaries of State have time after time made it the theme of diplomatic representation. Nor, if the practical results of the rule be sought for, is the record either meager or obscure. Its first and immediate effect was indeed most momentous and far reaching. It was the controlling factor in the emancipation of South America and to it the independent states which now divide that region between them are largely indebted for their very existence. Since then the most striking single achievement to be credited to the rule is the evacuation of Mexico by the French upon the termination of the civil war. But we are also indebted to it for the provisions of the Clayton-Bulwer treaty, which both neutralized any interoceanic canal across Central America and expressly excluded Great Britain from occupying or exercising any dominion over any part of Central America.

It has been used in the case of Cuba as if justifying the position that, while the sovereignty of Spain will be respected, the island will not be permitted to become the possession of any other European power. It has been influential in bringing about the definite relinquishment of any supposed protectorate by Great Britain over the Mosquito Coast.

President Polk, in the case of Yucatan and the proposed voluntary transfer of that country to Great Britain or Spain, relied upon the Monroe doctrine, though perhaps erroneously, when he declared in a special message to Congress on the subject that the United States could not consent to any such transfer. Yet, in somewhat the same spirit, Secretary Fish affirmed in 1870 that President Grant had but followed "the teachings of all our history" in declaring in his annual message of that year that existing dependencies were no longer regarded as subject to transfer from one European power to another, and that when the present relation of colonies ceases they are to become independent powers. Another development of the rule, though apparently not necessarily required by either its letter or its spirit, is found in the objection to arbitration of South American controversies by an European power. American questions, it is said, are for American decision, and on that ground the United States went so far as to refuse to mediate in the war between Chili and Peru jointly with Great Britain and France. Finally, on the ground, among others, that the authority of the Monroe doctrine and the prestige of the United States as its exponent and sponsor would be seriously impaired, Secretary Bayard strenuously resisted the enforcement of the Pelletier claim against Hayti.

The United States, [he said,] has proclaimed herself the protector of this western world, in which she is by far the stronger power, from the intrusion of European sovereignties. She can point with proud satisfaction to the fact that over and over again has she declared effectively, that serious indeed would be the consequences if European hostile foot should, without just cause, tread those states in the New World which have emancipated themselves from European control. She has announced that she would cherish as it becomes her the territorial rights of the feeblest of those states, regarding them not merely as in the eye of the law equal to even the greatest of nationalities, but in view of her distinctive policy as entitled to be regarded by her as the objects of a peculiarly gracious care. I feel bound to say that if we should sanction by reprisals in Hayti the ruthless invasion of her territory and insult to her sovereignty which the facts now before us disclose, if we approve by solemn Executive action and Congressional assent that invasion, it will be difficult for us hereafter to assert that in the New World, of whose rights we are the peculiar guardians, these rights have never been invaded by ourselves.

The foregoing enumeration not only shows the many instances wherein the rule in question has been affirmed and applied, but also demonstrates that the Venezuelan boundary controversy is in any view far within the scope and spirit of the rule as uniformly accepted and acted upon. A doctrine of American public law thus long and firmly established and supported could not easily be ignored in a proper case for its application, even were the considerations upon which it is founded obscure or questionable. No such objection can be made, however, to the Monroe doctrine understood and defined in the manner already stated. It rests, on the contrary, upon facts and principles that are both intelligible and incontrovertible. That distance and three thousand miles of intervening ocean make any permanent political union between an European and an American state unnatural and inexpedient will hardly be denied. But physical and geographical considerations are the least of the objections to such a union. Europe, as Washington observed, has a set of primary interests which are peculiar to herself. America is not interested in them and ought not to be vexed or complicated with them. Each great European power, for instance, to-day

maintains enormous armies and fleets in self-defense and for protection against any other European power or powers. What have the states of America to do with that condition of things, or why should they be impoverished by wars or preparations for wars with whose causes or results they can have no direct concern? If all Europe were to suddenly fly to arms over the fate of Turkey, would it not be preposterous that any American state should find itself inextricably involved in the miseries and burdens of the contest? If it were, it would prove to be a partnership in the cost and losses of the struggle but not in any ensuing benefits.

What is true of the material, is no less true of what may be termed the moral interests involved. Those pertaining to Europe are peculiar to her and are entirely diverse from those pertaining and peculiar to America. Europe as a whole is monarchical, and, with the single important exception of the Republic of France, is committed to the monarchical principle. America, on the other hand, is devoted to the exactly opposite principle—to the idea that every people has an inalienable right of self-government—and, in the United States of America, has furnished to the world the most conspicuous and conclusive example and proof of the excellence of free institutions, whether from the standpoint of national greatness or of individual happiness. It can not be necessary, however, to enlarge upon this phase of the subject—whether moral or material interests be considered, it can not but be universally conceded that those of Europe are irreconcilably diverse from those of America, and that any European control of the latter is necessarily both incongruous and injurious. If, however, for the reasons stated the forcible intrusion of European powers into American politics is to be deprecated—if, as it is to be deprecated, it should be resisted and prevented—such resistance and prevention must come from the United States. They would come from it, of course, were it made the point of attack. But, if they come at all, they must also come from it when any other American state is attacked, since only the United States has the strength adequate to the exigency.

Is it true, then, that the safety and welfare of the United States are so concerned with the maintenance of the independence of every American state as against any European power as to justify and require the interposition of the United States whenever that independence is endangered? The question can be candidly answered in but one way. The states of America, South as well as North, by geographical proximity, by natural sympathy, by similarity of governmental constitutions, are friends and allies, commercially and politically, of the United States. To allow the subjugation of any of them by an European power is, of course, to completely reverse that situation and signifies the loss of all the advantages incident to their natural relations to us. But that is not all. The people of the United States have a vital interest in the cause of popular self-government. They have secured the right for themselves and their posterity at the cost of infinite blood and treasure. They have realized and exemplified its beneficent operation by a career unexampled in point of national greatness or individual felicity. They believe it to be for the healing of all nations, and that civilization must either advance or retrograde accordingly as its supremacy is extended or curtailed. Imbued with these sentiments, the people of the United States might not impossibly be wrought up to an active propaganda in favor of a cause so highly valued both for themselves and for mankind. But the age of the Crusades has passed, and they are content with such assertion and defense of the right of popular self-government as their

own security and welfare demand. It is in that view more than in any other that they believe it not to be tolerated that the political control of an American state shall be forcibly assumed by an European power.

The mischiefs apprehended from such a source are none the less real because not immediately imminent in any specific case, and are none the less to be guarded against because the combination of circumstances that will bring them upon us cannot be predicted. The civilized states of Christendom deal with each other on substantially the same principles that regulate the conduct of individuals. The greater its enlightenment, the more surely every state perceives that its permanent interests require it to be governed by the immutable principles of right and justice. Each, nevertheless, is only too liable to succumb to the temptations offered by seeming special opportunities for its own aggrandizement, and each would rashly imperil its own safety were it not to remember that for the regard and respect of other states it must be largely dependent upon its own strength and power. To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition. Why? It is not because of the pure friendship or good will felt for it. It is not simply by reason of its high character as a civilized state, nor because wisdom and justice and equity are the invariable characteristics of the dealings of the United States. It is because, in addition to all other grounds, its infinite resources combined with its isolated position render it master of the situation and practically invulnerable as against any or all other powers.

All the advantages of this superiority are at once imperiled if the principle be admitted that European powers may convert American states into colonies or provinces of their own. The principle would be eagerly availed of, and every power doing so would immediately acquire a base of military operations against us. What one power was permitted to do could not be denied to another, and it is not inconceivable that the struggle now going on for the acquisition of Africa might be transferred to South America. If it were, the weaker countries would unquestionably be soon absorbed, while the ultimate result might be the partition of all South America between the various European powers. The disastrous consequences to the United States of such a condition of things are obvious. The loss of prestige, of authority, and of weight in the councils of the family of nations, would be among the least of them. Our only real rivals in peace as well as enemies in war would be found located at our very doors. Thus far in our history we have been spared the burdens and evils of immense standing armies and all the other accessories of huge warlike establishments, and the exemption has largely contributed to our national greatness and wealth as well as to the happiness of every citizen. But, with the powers of Europe permanently encamped on American soil, the ideal conditions we have thus far enjoyed can not be expected to continue. We too must be armed to the teeth, we too must convert the flower of our male population into soldiers and sailors, and by withdrawing them from the various pursuits of peaceful industry we too must practically annihilate a large share of the productive energy of the nation.

How a greater calamity than this could overtake us it is difficult to see. Nor are our just apprehensions to be allayed by suggestions of the friendliness of European powers—of their good will towards us—of their disposition, should they be our neighbors, to dwell with us in peace and harmony. The people of the United States have learned in the school of experience to what extent the relations of states to each

other depend not upon sentiment nor principle, but upon selfish interest. They will not soon forget that, in their hour of distress, all their anxieties and burdens were aggravated by the possibility of demonstrations against their national life on the part of powers with whom they had long maintained the most harmonious relations. They have yet in mind that France seized upon the apparent opportunity of our civil war to set up a monarchy in the adjoining state of Mexico. They realize that had France and Great Britain held important South American possessions to work from and to benefit, the temptation to destroy the predominance of the Great Republic in this hemisphere by furthering its dismemberment might have been irresistible. From that grave peril they have been saved in the past and may be saved again in the future through the operation of the sure but silent force of the doctrine proclaimed by President Monroe. To abandon it, on the other hand, disregarding both the logic of the situation and the facts of our past experience, would be to renounce a policy which has proved both an easy defense against foreign aggression and a prolific source of internal progress and prosperity.

There is, then, a doctrine of American public law, well founded in principle and abundantly sanctioned by precedent, which entitles and requires the United States to treat as an injury to itself the forcible assumption by an European power of political control over an American state. The application of the doctrine to the boundary dispute between Great Britain and Venezuela remains to be made and presents no real difficulty. Though the dispute relates to a boundary line, yet, as it is between states, it necessarily imports political control to be lost by one party and gained by the other. The political control at stake, too, is of no mean importance, but concerns a domain of great extent—the British claim, it will be remembered, apparently expanded in two years some 33,000 square miles—and, if it also directly involves the command of the mouth of the Orinoco, is of immense consequence in connection with the whole river navigation of the interior of South America. It has been intimated, indeed, that in respect of these South American possessions Great Britain is herself an American state like any other, so that a controversy between her and Venezuela is to be settled between themselves as if it were between Venezuela and Brazil or between Venezuela and Colombia, and does not call for or justify United States intervention. If this view be tenable at all, the logical sequence is plain.

Great Britain as a South American state is to be entirely differentiated from Great Britain generally, and if the boundary question cannot be settled otherwise than by force, British Guiana, with her own independent resources and not those of the British Empire, should be left to settle the matter with Venezuela—an arrangement which very possibly Venezuela might not object to. But the proposition that an European power with an American dependency is for the purposes of the Monroe doctrine to be classed not as an European but as an American state will not admit of serious discussion. If it were to be adopted, the Monroe doctrine would be too valueless to be worth asserting. Not only would every European power now having a South American colony be enabled to extend its possessions on this continent indefinitely, but any other European power might also do the same by first taking pains to procure a fraction of South American soil by voluntary cession.

The declaration of the Monroe message—that existing colonies or dependencies of an European power would not be interfered with by the

United States—means colonies or dependencies then existing, with their limits as then existing. So it has been invariably construed, and so it must continue to be construed unless it is to be deprived of all vital force. Great Britain cannot be deemed a South American state within the purview of the Monroe doctrine, nor, if she is appropriating Venezuelan territory, is it material that she does so by advancing the frontier of an old colony instead of by the planting of a new colony. The difference is matter of form and not of substance and the doctrine if pertinent in the one case must be in the other also. It is not admitted, however, and therefore cannot be assumed, that Great Britain is in fact usurping dominion over Venezuelan territory. While Venezuela charges such usurpation, Great Britain denies it, and the United States, until the merits are authoritatively ascertained, can take sides with neither. But while this is so—while the United States may not, under existing circumstances at least, take upon itself to say which of the two parties is right and which wrong—it is certainly within its right to demand that the truth shall be ascertained. Being entitled to resent and resist any sequestration of Venezuelan soil by Great Britain, it is necessarily entitled to know whether such sequestration has occurred or is now going on. Otherwise, if the United States is without the right to know and have it determined whether there is or is not British aggression upon Venezuelan territory, its right to protest against or repel such aggression may be dismissed from consideration.

The right to act upon a fact the existence of which there is no right to have ascertained is simply illusory. It being clear, therefore, that the United States may legitimately insist upon the merits of the boundary question being determined, it is equally clear that there is but one feasible mode of determining them, viz., peaceful arbitration. The impracticability of any conventional adjustment has been often and thoroughly demonstrated. Even more impossible of consideration is an appeal to arms—a mode of settling national pretensions unhappily not yet wholly obsolete. If, however, it were not condemnable as a relic of barbarism and a crime in itself, so one-sided a contest could not be invited nor even accepted by Great Britain without distinct disparagement to her character as a civilized state. Great Britain, however, assumes no such attitude. On the contrary, she both admits that there is a controversy and that arbitration should be resorted to for its adjustment. But, while up to that point her attitude leaves nothing to be desired, its practical effect is completely nullified by her insistence that the submission shall cover but a part of the controversy—that, as a condition of arbitrating her right to a part of the disputed territory, the remainder shall be turned over to her. If it were possible to point to a boundary which both parties had ever agreed or assumed to be such either expressly or tacitly, the demand that territory conceded by such line to British Guiana should be held not to be in dispute might rest upon a reasonable basis. But there is no such line. The territory which Great Britain insists shall be ceded to her as a condition of arbitrating her claim to other territory has never been admitted to belong to her. It has always and consistently been claimed by Venezuela.

Upon what principle—except her feebleness as a nation—is she to be denied the right of having the claim heard and passed upon by an impartial tribunal? No reason nor shadow of reason appears in all the voluminous literature of the subject. "It is to be so because I will it to be so" seems to be the only justification Great Britain offers. It is, indeed, intimated that the British claim to this particular territory rests upon an occupation, which, whether acquiesced in or not,

has ripened into a perfect title by long continuance. But what prescription affecting territorial rights can be said to exist as between sovereign states? Or, if there is any, what is the legitimate consequence? It is not that all arbitration should be denied, but only that the submission should embrace an additional topic, namely, the validity of the asserted prescriptive title either in point of law or in point of fact. No different result follows from the contention that as matter of principle Great Britain cannot be asked to submit and ought not to submit to arbitration her political and sovereign rights over territory. This contention, if applied to the whole or to a vital part of the possessions of a sovereign state, need not be controverted. To hold otherwise might be equivalent to holding that a sovereign state was bound to arbitrate its very existence.

But Great Britain has herself shown in various instances that the principle has no pertinency when either the interests or the territorial area involved are not of controlling magnitude and her loss of them as the result of an arbitration cannot appreciably affect her honor or her power. Thus, she has arbitrated the extent of her colonial possessions twice with the United States, twice with Portugal, and once with Germany, and perhaps in other instances. The Northwest Water Boundary arbitration of 1872 between her and this country is an example in point and well illustrates both the effect to be given to long-continued use and enjoyment and the fact that a truly great power sacrifices neither prestige nor dignity by reconsidering the most emphatic rejection of a proposition when satisfied of the obvious and intrinsic justice of the case. By the award of the Emperor of Germany, the arbitrator in that case, the United States acquired San Juan and a number of smaller islands near the coast of Vancouver as a consequence of the decision that the term "the channel which separates the continent from Vancouver's Island," as used in the treaty of Washington of 1846, meant the Haro channel and not the Rosario channel. Yet a leading contention of Great Britain before the arbitrator was that equity required a judgment in her favor because a decision in favor of the United States would deprive British subjects of rights of navigation of which they had had the habitual enjoyment from the time when the Rosario Strait was first explored and surveyed in 1798. So, though by virtue of the award the United States acquired San Juan and the other islands of the group to which it belongs, the British Foreign Secretary had in 1859 instructed the British Minister at Washington as follows:

Her Majesty's Government must, therefore, under any circumstances, maintain the right of the British Crown to the Island of San Juan. The interests at stake in connection with the retention of that Island are too important to admit of compromise and Your Lordship will consequently bear in mind that, whatever arrangement as to the boundary line is finally arrived at, no settlement of the question will be accepted by Her Majesty's Government which does not provide for the Island of San Juan being reserved to the British Crown.

Thus, as already intimated, the British demand that her right to a portion of the disputed territory shall be acknowledged before she will consent to an arbitration as to the rest seems to stand upon nothing but her own *ipse dixit*. She says to Venezuela, in substance: "You can get none of the debatable land by force, because you are not strong enough; you can get none by treaty, because I will not agree; and you can take your chance of getting a portion by arbitration, only if you first agree to abandon to me such other portion as I may designate." It is not perceived how such an attitude can be defended nor how it is reconcilable with that love of justice and fair play so eminently characteristic of the English race. It in effect deprives Venezuela of her

free agency and puts her under virtual duress. Territory acquired by reason of it will be as much wrested from her by the strong hand as if occupied by British troops or covered by British fleets. It seems therefore quite impossible that this position of Great Britain should be assented to by the United States, or that, if such position be adhered to with the result of enlarging the bounds of British Guiana, it should not be regarded as amounting, in substance, to an invasion and conquest of Venezuelan territory.

In these circumstances, the duty of the President appears to him unmistakable and imperative. Great Britain's assertion of title to the disputed territory combined with her refusal to have that title investigated being a substantial appropriation of the territory to her own use, not to protest and give warning that the transaction will be regarded as injurious to the interests of the people of the United States as well as oppressive in itself would be to ignore an established policy with which the honor and welfare of this country are closely identified. While the measures necessary or proper for the vindication of that policy are to be determined by another branch of the Government, it is clearly for the Executive to leave nothing undone which may tend to render such determination unnecessary.

You are instructed, therefore, to present the foregoing views to Lord Salisbury by reading to him this communication (leaving with him a copy should he so desire), and to reinforce them by such pertinent considerations as will doubtless occur to you. They call for a definite decision upon the point whether Great Britain will consent or will decline to submit the Venezuelan boundary question in its entirety to impartial arbitration. It is the earnest hope of the President that the conclusion will be on the side of arbitration, and that Great Britain will add one more to the conspicuous precedents she has already furnished in favor of that wise and just mode of adjusting international disputes. If he is to be disappointed in that hope, however—a result not to be anticipated and in his judgment calculated to greatly embarrass the future relations between this country and Great Britain—it is his wish to be made acquainted with the fact at such early date as will enable him to lay the whole subject before Congress in his next annual message.

I am, sir, your obedient servant,

RICHARD OLNEY.

Mr. Adee to Mr. Bayard.

No. 806.]

DEPARTMENT OF STATE,
Washington, July 24, 1895.

His Excellency THOMAS F. BAYARD,
Etc., etc., etc., London.

SIR: In Mr. Olney's instruction No. 804, of the 20th instant, in relation to the Anglo-Venezuelan boundary dispute, you will note a reference to the sudden increase of the area claimed for British Guiana amounting to 33,000 square miles, between 1884 and 1886. This statement is made on the authority of the British publication entitled the *Statesman's Year Book*.

I add for your better information that the same statement is found in the British Colonial Office List, a government publication.

In the issue for 1885 the following passage occurs, on page 24, under the head of British Guiana:

It is impossible to specify the exact area of the Colony, as its precise boundaries between Venezuela and Brazil respectively are undetermined, but it has been computed to be 76,000 square miles.

In the issue of the same List for 1886, the same statement occurs, on page 33, with the change of area to "about 109,000 square miles."

The official maps in the two volumes mentioned are identical, so that the increase of 33,000 square miles claimed for British Guiana is not thereby explained, but later Colonial Office List maps show a varying sweep of the boundary westward into what previously figured as Venezuelan territory, while no change is noted on the Brazilian frontier.

I am, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary.

Lord Salisbury to Sir Julian Pancefote.

No. 189.]

FOREIGN OFFICE,
November 26, 1895.

SIR, On the 7th August I transmitted to Lord Gough a copy of the despatch from Mr. Olney which Mr. Bayard had left with me that day, and of which he had read portions to me. I informed him at the time that it could not be answered until it had been carefully considered by the Law Officers of the Crown. I have therefore deferred replying to it till after the recess.

I will not now deal with those portions of it which are concerned exclusively with the controversy that has for some time past existed between the Republic of Venezuela and Her Majesty's Government in regard to the boundary which separates their dominions. I take a very different view from Mr. Olney of various matters upon which he touches in that part of the despatch; but I will defer for the present all observations upon it, as it concerns matters which are not in themselves of first-rate importance, and do not directly concern the relations between Great Britain and the United States.

The latter part however of the despatch, turning from the question of the frontiers of Venezuela, proceeds to deal with principles of a far wider character, and to advance doctrines of international law which are of considerable interest to all the nations whose dominions include any portion of the western hemisphere.

The contentions set forth by Mr. Olney in this part of his despatch are represented by him as being an application of the political maxims which are well known in American discussion under the name of the Monroe doctrine. As far as I am aware, this doctrine has never been before advanced on behalf of the United States in any written communication addressed to the Government of another nation; but it has been generally adopted and assumed as true by many eminent writers and politicians in the United States. It is said to have largely influenced the Government of that country in the conduct of its foreign affairs: though Mr. Clayton, who was Secretary of State under President Taylor, expressly stated that that Administration had in no way adopted it. But during the period that has elapsed since the Message

of President Monroe was delivered in 1823, the doctrine has undergone a very notable development, and the aspect which it now presents in the hands of Mr. Olney differs widely from its character when it first issued from the pen of its author. The two propositions which in effect President Monroe laid down were, first, that America was no longer to be looked upon as a field for European colonization; and, secondly, that Europe must not attempt to extend its political system to America, or to control the political condition of any of the American communities who had recently declared their independence.

The dangers against which President Monroe thought it right to guard were not as imaginary as they would seem at the present day. The formation of the Holy Alliance; the Congresses of Laybach and Verona; the invasion of Spain by France for the purpose of forcing upon the Spanish people a form of government which seemed likely to disappear, unless it was sustained by external aid, were incidents fresh in the mind of President Monroe when he penned his celebrated Message. The system of which he speaks, and of which he so resolutely deprecates the application to the American Continent, was the system then adopted by certain powerful States upon the Continent of Europe of combining to prevent by force of arms the adoption in other countries of political institutions which they disliked, and to uphold by external pressure those which they approved. Various portions of South America had recently declared their independence, and that independence had not been recognized by the Governments of Spain and Portugal, to which, with small exception, the whole of Central and South America were nominally subject. It was not an imaginary danger that he foresaw, if he feared that the same spirit which had dictated the French expedition into Spain might inspire the more powerful Governments of Europe with the idea of imposing, by the force of European arms, upon the South American communities the form of government and the political connection which they had thrown off. In declaring that the United States would resist any such enterprise if it was contemplated, President Monroe adopted a policy which received the entire sympathy of the English Government of that date.

The dangers which were apprehended by President Monroe have no relation to the state of things in which we live at the present day. There is no danger of any Holy Alliance imposing its system upon any portion of the American Continent, and there is no danger of any European State treating any part of the American Continent as a fit object for European colonization. It is intelligible that Mr. Olney should invoke, in defence of the views on which he is now insisting, an authority which enjoys so high a popularity with his own fellow-countrymen. But the circumstances with which President Monroe was dealing, and those to which the present American Government is addressing itself, have very few features in common. Great Britain is imposing no "system" upon Venezuela, and is not concerning herself in any way with the nature of the political institutions under which the Venezuelans may prefer to live. But the British Empire and the Republic of Venezuela are neighbours, and they have differed for some time past, and continue to differ, as to the line by which their dominions are separated. It is a controversy with which the United States have no apparent practical concern. It is difficult, indeed, to see how it can materially affect any State or community outside those primarily interested, except perhaps other parts of Her Majesty's dominions, such as Trinidad. The disputed frontier of Ven-

ezuela has nothing to do with any of the questions dealt with by President Monroe. It is not a question of the colonization by a European Power of any portion of America. It is not a question of the imposition upon the communities of South America of any system of government devised in Europe. It is simply the determination of the frontier of a British possession which belonged to the Throne of England long before the Republic of Venezuela came into existence. But even if the interests of Venezuela were so far linked to those of the United States as to give to the latter a *locus standi* in this controversy, their Government apparently have not formed, and certainly do not express, any opinion upon the actual merits of the dispute. The Government of the United States do not say that Great Britain, or that Venezuela, is in the right in the matters that are in issue. But they lay down that the doctrine of President Monroe, when he opposed the imposition of European systems, or the renewal of European colonization, confers upon them the right of demanding that when a European Power has a frontier difference with a South American community, the European Power shall consent to refer that controversy to arbitration; and Mr. Olney states that unless Her Majesty's Government accede to this demand, it will "greatly embarrass the future relations between Great Britain and the United States."

Whatever may be the authority of the doctrine laid down by President Monroe, there is nothing in his language to show that he ever thought of claiming this novel prerogative for the United States. It is admitted that he did not seek to assert a Protectorate over Mexico, or the States of Central and South America. Such a claim would have imposed upon the United States the duty of answering for the conduct of these States, and consequently the responsibility of controlling it. His sagacious foresight would have led him energetically to deprecate the addition of so serious a burden to those which the Rulers of the United States have to bear. It follows of necessity that if the Government of the United States will not control the conduct of these communities, neither can it undertake to protect them from the consequences attaching to any misconduct of which they may be guilty towards other nations. If they violate in any way the rights of another State, or of its subjects, it is not alleged that the Monroe doctrine will assure them the assistance of the United States in escaping from any reparation which they may be bound by international law to give. Mr. Olney expressly disclaims such an inference from the principles he lays down.

But the claim which he founds upon them is that, if any independent American State advances a demand for territory of which its neighbour claims to be the owner, and that neighbour is the colony of a European State, the United States have a right to insist that the European State shall submit the demand, and its own impugned rights to arbitration.

I will not now enter into a discussion of the merits of this method of terminating international differences. It has proved itself valuable in many cases; but it is not free from defects, which often operate as a serious drawback on its value. It is not always easy to find an Arbitrator who is competent, and who, at the same time, is wholly free from bias; and the task of insuring compliance with the Award when it is made is not exempt from difficulty. It is a mode of settlement of which the value varies much according to the nature of the controversy to which it is applied, and the character of the litigants who appeal to it. Whether, in any particular case, it is a suitable

method of procedure is generally a delicate and difficult question. The only parties who are competent to decide that question are the two parties whose rival contentions are in issue. The claim of a third nation, which is unaffected by the controversy, to impose this particular procedure on either of the two others, cannot be reasonably justified, and has no foundation in the law of nations.

In the remarks which I have made, I have argued on the theory that the Monroe doctrine in itself is sound. I must not, however, be understood as expressing any acceptance of it on the part of Her Majesty's Government. It must always be mentioned with respect, on account of the distinguished statesman to whom it is due, and the great nation who have generally adopted it. But international law is founded on the general consent of nations; and no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before, and which has not since been accepted by the Government of any other country. The United States have a right, like any other nation, to interpose in any controversy by which their own interests are affected; and they are the judge whether those interests are touched, and in what measure they should be sustained. But their rights are in no way strengthened or extended by the fact that the controversy affects some territory which is called American. Mr. Olney quotes the case of the recent Chilean war, in which the United States declined to join with France and England in an effort to bring hostilities to a close, on account of the Monroe doctrine. The United States were entirely in their right in declining to join in an attempt at pacification if they thought fit; but Mr. Olney's principle that "American questions are for American decision," even if it receive any countenance from the language of President Monroe (which it does not), can not be sustained by any reasoning drawn from the law of nations.

The Government of the United States is not entitled to affirm as a universal proposition, with reference to a number of independent States for whose conduct it assumes no responsibility, that its interests are necessarily concerned in whatever may befall those States simply because they are situated in the Western Hemisphere. It may well be that the interests of the United States are affected by something that happens to Chile or to Peru, and that that circumstance may give them the right of interference; but such a contingency may equally happen in the case of China or Japan, and the right of interference is not more extensive or more assured in the one case than in the other.

Though the language of President Monroe is directed to the attainment of objects which most Englishmen would agree to be salutary, it is impossible to admit that they have been inscribed by any adequate authority in the code of international law; and the danger which such admission would involve is sufficiently exhibited both by the strange development which the doctrine has received at Mr. Olney's hands, and the arguments by which it is supported, in the despatch under reply. In defence of it he says:

That distance and 3,000 miles of intervening ocean make any permanent political union between a European and an American State unnatural and inexpedient will hardly be denied. But physical and geographical considerations are the least of the objections to such a union. Europe has a set of primary interests which are peculiar to herself; America is not interested in them, and ought not to be vexed or complicated with them.

And, again:

Thus far in our history we have been spared the burdens and evils of immense standing armies and all the other accessories of huge warlike establishments; and

the exemption has highly contributed to our national greatness and wealth, as well as to the happiness of every citizen. But *with the Powers of Europe permanently encamped on American soil*, the ideal conditions we have thus far enjoyed cannot be expected to continue.

The necessary meaning of these words is that the union between Great Britain and Canada; between Great Britain and Jamaica and Trinidad; between Great Britain and British Honduras or British Guiana are "inexpedient and unnatural." President Monroe disclaims any such inference from his doctrine; but in this, as in other respects, Mr. Olney develops it. He lays down that the inexpedient and unnatural character of the union between a European and American State is so obvious that it "will hardly be denied." Her Majesty's Government are prepared emphatically to deny it on behalf of both the British and American people who are subject to her Crown. They maintain that the union between Great Britain and her territories in the Western Hemisphere is both natural and expedient. They fully concur with the view which President Monroe apparently entertained, that any disturbance of the existing territorial distribution in that hemisphere by any fresh acquisitions on the part of any European State would be a highly inexpedient change. But they are not prepared to admit that the recognition of that expediency is clothed with the sanction which belongs to a doctrine of international law. They are not prepared to admit that the interests of the United States are necessarily concerned in every frontier dispute which may arise between any two of the States who possess dominion in the Western Hemisphere; and still less can they accept the doctrine that the United States are entitled to claim that the process of arbitration shall be applied to any demand for the surrender of territory which one of those States may make against another.

I have commented in the above remarks only upon the general aspect of Mr. Olney's doctrines, apart from the special considerations which attach to the controversy between the United Kingdom and Venezuela in its present phase. This controversy has undoubtedly been made more difficult by the inconsiderate action of the Venezuelan Government in breaking off relations with Her Majesty's Government, and its settlement has been correspondingly delayed; but Her Majesty's Government have not surrendered the hope that it will be adjusted by a reasonable arrangement at an early date.

I request that you will read the substance of the above despatch to Mr. Olney, and leave him a copy if he desires it.

S.

Lord Salisbury to Sir Julian Pauncefote.

No. 190.]

FOREIGN OFFICE,
November 26, 1895.

SIR, In my preceding despatch of to-day's date I have replied only to the latter portion of Mr. Olney's despatch of the 20th July last, which treats of the application of the Monroe doctrine to the question of the boundary dispute between Venezuela and the colony of British Guiana. But it seems desirable, in order to remove some evident misapprehensions as to the main features of the question, that the statement of it contained in the earlier portion of Mr. Olney's despatch should not be left without reply. Such a course will be the more convenient, because, in consequence of the suspension of diplomatic rela-

tions, I shall not have the opportunity of setting right misconceptions of this kind in the ordinary way in a despatch addressed to the Venezuelan Government itself.

Her Majesty's Government, while they have never avoided or declined argument on the subject with the Government of Venezuela, have always held that the question was one which had no direct bearing on the material interests of any other country, and have consequently refrained hitherto from presenting any detailed statement of their case either to the United States or to other foreign Governments.

It is, perhaps, a natural consequence of this circumstance that Mr. Olney's narration of what has passed bears the impress of being mainly, if not entirely, founded on *ex parte* statements emanating from Venezuela, and gives, in the opinion of Her Majesty's Government, an erroneous view of many material facts.

Mr. Olney commences his observations by remarking that "the dispute is of ancient date, and began at least as early as the time when Great Britain acquired by the Treaty with the Netherlands in 1814 the establishments of Demerara, Essequibo, and Berbice. From that time to the present the dividing line between these establishments, now called British Guiana, and Venezuela has never ceased to be subject of contention."

This statement is founded on misconception. The dispute on the subject of the frontier did not, in fact, commence till after the year 1840.

The title of Great Britain to the territory in question is derived, in the first place, from conquest and military occupation of the Dutch settlements in 1796. Both on this occasion, and at the time of a previous occupation of those settlements in 1781, the British authorities marked the western boundary of their possessions as beginning some distance up the Orinoco beyond Point Barima, in accordance with the limits claimed and actually held by the Dutch, and this has always since remained the frontier claimed by Great Britain. The definite cession of the Dutch settlements to England was, as Mr. Olney states, placed on record by the Treaty of 1814, and although the Spanish Government were parties to the negotiations which led to that Treaty, they did not at any stage of them raise objection to the frontiers claimed by Great Britain, though these were perfectly well known to them. At that time the Government of Venezuela had not been recognized even by the United States, though the province was already in revolt against the Spanish Government, and had declared its independence. No question of frontier was raised with Great Britain either by it or by the Government of the United States of Colombia, in which it became merged in 1819. That Government, indeed, on repeated occasions, acknowledged its indebtedness to Great Britain for her friendly attitude. When in 1830 the Republic of Venezuela assumed a separate existence its Government was equally warm in its expressions of gratitude and friendship, and there was not at the time any indication of an intention to raise such claims as have been urged by it during the latter portion of this century.

It is true, as stated by Mr. Olney, that, in the Venezuelan Constitution of 1830, Article 5 lays down that "the territory of Venezuela comprises all that which previously to the political changes of 1810 was denominated the Captaincy-General of Venezuela." Similar declarations had been made in the fundamental laws promulgated in 1819 and 1821.

I need not point out that a declaration of this kind made by a newly self-constituted State can have no valid force as against international

arrangements previously concluded by the nation from which it has separated itself.

But the present difficulty would never have arisen if the Government of Venezuela had been content to claim only those territories which could be proved or even reasonably asserted to have been practically in the possession and under the effective jurisdiction of the Captaincy-General of Venezuela.

There is no authoritative statement by the Spanish Government of those territories, for a Decree which the Venezuelan Government allege to have been issued by the King of Spain in 1768, describing the Province of Guiana as bordered on the south by the Amazon and on the east by the Atlantic, certainly cannot be regarded as such. It absolutely ignores the Dutch settlements, which not only existed in fact, but had been formally recognized by the Treaty of Munster of 1648, and it would, if now considered valid, transfer to Venezuela the whole of the British, Dutch, and French Guianas, and an enormous tract of territory belonging to Brazil.

But of the territories claimed and actually occupied by the Dutch, which were those acquired from them by Great Britain, there exist the most authentic declarations. In 1759, and again in 1769, the States-General of Holland addressed formal remonstrances to the Court of Madrid against the incursions of the Spaniards into their posts and settlements in the basin of the Cuyuni. In these remonstrances they distinctly claimed all the branches of the Essequibo River, and especially, the Cuyuni River, as lying within Dutch territory. They demanded immediate reparation for the proceedings of the Spaniards and reinstatement of the posts said to have been injured by them, and suggested that a proper delineation between the Colony of Essequibo and the Rio Orinoco should be laid down by authority.

To this claim the Spanish Government never attempted to make any reply. But it is evident from the archives which are preserved in Spain and to which, by the courtesy of the Spanish Government, reference has been made, that the Council of State did not consider that they had the means of rebutting it, and that neither they nor the Governor of Cumana were prepared seriously to maintain the claims which were suggested in reports from his subordinate officer, the Commandant of Guiana. These reports were characterized by the Spanish Ministers as insufficient and unsatisfactory, as "professing to show the Province of Guiana under too favourable a light," and finally by the Council of State as appearing from other information to be "very improbable." They form, however, with a map which accompanied them, the evidence on which the Venezuelan Government appear most to rely, though it may be observed that among other documents which have from time to time been produced or referred to by them in the course of the discussions is a Bull of Pope Alexander VI in 1493, which, if it is to be considered as having any present validity, would take from the Government of the United States all title to jurisdiction on the Continent of North America. The fundamental principle underlying the Venezuelan argument is, in fact, that, inasmuch as Spain was originally entitled of right to the whole of the American Continent, any territory on that Continent which she cannot be shown to have acknowledged in positive and specific terms to have passed to another Power can only have been acquired by wrongful usurpation, and if situated to the north of the Amazon and west of the Atlantic must necessarily belong to Venezuela, as her self-constituted inheritor in those regions. It may reasonably be asked whether Mr. Olney would

consent to refer to the arbitration of another Power pretensions raised by the Government of Mexico on such a foundation to large tracts of territory which had long been comprised in the Federation.

The circumstances connected with the marking of what is called the "Schomburgk" line are as follows:—

In 1835 a grant was made by the British Government for the exploration of the interior of the British Colony, and Mr. (afterwards Sir Robert) Schomburgk, who was employed on this service, on his return to the capital of the Colony in July 1839, called the attention of the Government to the necessity for an early demarcation of its boundaries. He was in consequence appointed in November 1840 Special Commissioner for provisionally surveying and delimiting the boundaries of British Guiana, and notice of the appointment was given to the Governments concerned, including that of Venezuela.

The intention of Her Majesty's Government at that time was, when the work of the Commissioner had been completed, to communicate to the other Governments their views as to the true boundary of the British Colony, and then to settle any details to which those Governments might take objection.

It is important to notice that Sir R. Schomburgk did not discover or invent any new boundaries. He took particular care to fortify himself with the history of the case. He had further, from actual exploration and information obtained from the Indians, and from the evidence of local remains, as at Barima, and local traditions, as on the Cuyuni, fixed the limits of the Dutch possessions, and the zone from which all trace of Spanish influence was absent. On such data he based his reports.

At the very outset of his mission he surveyed Point Barima, where the remains of a Dutch fort still existed, and placed there and at the mouth of the Amacura two boundary posts. At the urgent entreaty of the Venezuelan Government these two posts were afterwards removed, as stated by Mr. Olney, but this concession was made on the distinct understanding that Great Britain did not thereby in any way abandon her claim to that position.

In submitting the maps of his survey, on which he indicated the line which he would propose to Her Majesty's Government for adoption, Sir R. Schomburgk called attention to the fact that Her Majesty's Government might justly claim the whole basin of the Cuyuni and Yuruari on the ground that the natural boundary of the Colony included any territory through which flow rivers which fall into the Essequibo. "Upon this principle," he wrote, "the boundary-line would run from the sources of the Carumani towards the sources of the Cuyuni proper, and from thence towards its far more northern tributaries, the Rivers Iruary (Yuruari) and Iruang (Yuruan), and thus approach the very heart of Venezuelan Guiana." But, on grounds of complaisance towards Venezuela, he proposed that Great Britain should consent to surrender her claim to a more extended frontier inland in return for the formal recognition of her right to Point Barima. It was on this principle that he drew the boundary-line which has since been called by his name.

Undoubtedly, therefore, Mr. Olney is right when he states that "it seems impossible to treat the Schomburgk line as being the boundary claimed by Great Britain as matter of right, or as anything but a line originating in considerations of convenience and expediency." The Schomburgk line was in fact a great reduction of the boundary claimed by Great Britain as matter of right, and its proposal originated in a desire to come to a speedy and friendly arrangement with a weaker Power with whom Great Britain was at the time, and desired to remain, in cordial relations.

The following are the main facts of the discussions that ensued with the Venezuelan Government:—

While Mr. Schomburgk was engaged on his survey the Venezuelan Minister in London had urged Her Majesty's Government to enter into a Treaty of Limits, but received the answer that, if it should be necessary to enter into such a Treaty, a survey was, at any rate, the necessary preliminary, and that this was proceeding.

As soon as Her Majesty's Government were in possession of Mr. Schomburgk's reports, the Venezuelan Minister was informed that they were in a position to commence negotiations, and in January 1844, M. Fortique commenced by stating the claim of his Government.

This claim, starting from such obsolete grounds as the original discovery by Spain of the American Continent, and mainly supported by quotations of a more or less vague character from the writings of travellers and geographers, but adducing no substantial evidence of actual conquest or occupation of the territory claimed, demanded the Essequibo itself as the boundary of Venezuela.

A reply was returned by Lord Aberdeen, then Secretary of State for Foreign Affairs, pointing out that it would be impossible to arrive at any agreement if both sides brought forward pretensions of so extreme a character, but stating that the British Government would not imitate M. Fortique in putting forward a claim which it could not be intended seriously to maintain. Lord Aberdeen then proceeded to announce the concessions which, "out of friendly regard to Venezuela," Her Majesty's Government were prepared to make, and proposed a line starting from the mouth of the Moroco to the junction of the River Barama with the Waini, thence up the Barama to the point at which that stream approached nearest to the Acarabisi, and thence following Sir R. Schomburgk's line from the source of the Acarabisi onwards.

A condition was attached to the proffered cession, viz., that the Venezuelan Government should enter into an engagement that no portion of the territory proposed to be ceded should be alienated at any time to a foreign Power, and that the Indian tribes residing in it should be protected from oppression.

No answer to the note was ever received from the Venezuelan Government, and in 1850 Her Majesty's Government informed Her Majesty's Chargé d'Affaires at Carácas that as the proposal had remained for more than six years unaccepted, it must be considered as having lapsed, and authorized him to make a communication to the Venezuelan Government to that effect.

A report having at the time become current in Venezuela that Great Britain intended to seize Venezuelan Guiana, the British Government distinctly disclaimed such an intention, but inasmuch as the Government of Venezuela subsequently permitted projects to be set on foot for the occupation of Point Barima and certain other positions in dispute, the British Chargé d'Affaires was instructed in June 1850 to call the serious attention of the President and Government of Venezuela to the question, and to declare to them "that, whilst, on the one hand, Great Britain had no intention to occupy or encroach on the disputed territory, she would not, on the other hand, view with indifference aggressions on that territory by Venezuela."

The Venezuelan Government replied in December of the same year that Venezuela had no intention of occupying or encroaching upon any part of the territory the dominion of which was in dispute, and that orders would be issued to the authorities in Guiana to abstain from taking any steps contrary to this engagement.

This constitutes what has been termed the "Agreement of 1850," to which the Government of Venezuela have frequently appealed, but which the Venezuelans have repeatedly violated in succeeding years.

Their first acts of this nature consisted in the occupation of fresh positions to the east of their previous settlements, and the founding in 1858 of the town of Nueva Providencia on the right bank of the Yuruari, all previous settlements being on the left bank. The British Government, however, considering that these settlements were so near positions which they had not wished to claim, considering also the difficulty of controlling the movements of mining populations, overlooked this breach of the Agreement.

The Governor of the Colony was in 1857 sent to Carácas to negotiate for a settlement of the boundary, but he found the Venezuelan State in so disturbed a condition that it was impossible to commence negotiations, and eventually he came away without having effected anything.

For the next nineteen years, as stated by Mr. Olney, the civil commotions in Venezuela prevented any resumption of negotiations.

In 1876 it was reported that the Venezuelan Government had, for the second time, broken "the Agreement of 1850" by granting licences to trade and cut wood in Barima and eastward. Later in the same year that Government once more made an overture for the settlement of the boundary. Various delays interposed before negotiations actually commenced; and it was not till 1879 that Señor Rojaz began them with a renewal of the claim to the Essequibo as the eastern boundary of Venezuelan Guiana. At the same time he stated that his Government wished "to obtain, by means of a Treaty, a definitive settlement of the question, and was disposed to proceed to the demarcation of the divisional line between the two Guianas in a spirit of conciliation and true friendship towards Her Majesty's Government."

In reply to this communication, a note was addressed to Señor Rojaz on the 10th January, 1880, reminding him that the boundary which Her Majesty's Government claimed, as a matter of strict right on grounds of conquest and concession by Treaty, commenced at a point at the mouth of the Orinoco, westward of Point Barima, that it proceeded thence in a southerly direction to the Imataca Mountains, the line of which it followed to the north-west, passing from thence by the high land of Santa Maria just south of the town of Upata, until it struck a range of hills on the eastern bank of the Caroni River, following these southwards until it struck the great backbone of the Guiana district, the Barima Mountains of British Guiana, and thence southwards to the Pacaraima Mountains. On the other hand, the claim which had been put forward on behalf of Venezuela by General Guzman Blanco in his message to the National Congress of the 20th February, 1877, would involve the surrender of a province now inhabited by 40,000 British subjects, and which had been in the uninterrupted possession of Holland and of Great Britain successively for two centuries. The difference between these two claims being so great, it was pointed out to Señor Rojaz that, in order to arrive at a satisfactory arrangement, each party must be prepared to make very considerable concessions to the other, and he was assured that, although the claim of Venezuela to the Essequibo River boundary could not, under any circumstances, be entertained, yet that Her Majesty's Government were anxious to meet the Venezuelan Government in a spirit of conciliation, and would be willing, in the event of a renewal of negotiations for the general settlement of boundaries, to waive a portion of what they considered to be their

strict rights if Venezuela were really disposed to make corresponding concessions on her part.

The Venezuelan Minister replied in February 1881 by proposing a line which commenced on the coast a mile to the north of the Moroco River, and followed certain parallels and meridians inland, bearing a general resemblance to the proposal made by Lord Aberdeen in 1844.

Señor Rojaz' proposal was referred to the Lieutenant-Governor and Attorney-General of British Guiana, who were then in England, and they presented an elaborate Report, showing that in the thirty-five years which had elapsed since Lord Aberdeen's proposed concession natives and others had settled in the territory under the belief that they would enjoy the benefits of British rule, and that it was impossible to assent to any such concessions as Señor Rojaz' line would involve. They, however, proposed an alternative line, which involved considerable reductions of that laid down by Sir R. Schomburgk.

This boundary was proposed to the Venezuelan Government by Lord Granville in September 1881, but no answer was ever returned by that Government to the proposal.

While, however, the Venezuelan Minister constantly stated that the matter was under active consideration, it was found that in the same year a Concession had been given by his Government to General Pulgar, which included a large portion of the territory in dispute. This was the third breach by Venezuela of the Agreement of 1850.

Early in 1884 news arrived of a fourth breach by Venezuela of the Agreement of 1850, through two different grants which covered the whole of the territory in dispute, and as this was followed by actual attempts to settle on the disputed territory, the British Government could no longer remain inactive.

Warning was therefore given to the Venezuelan Government and to the concessionnaires, and a British Magistrate was sent into the threatened district to assert the British rights.

Meanwhile, the negotiations for a settlement of the boundary had continued, but the only replies that could be obtained from Señor Guzman Blanco, the Venezuelan Minister, were proposals for arbitration in different forms, all of which Her Majesty's Government were compelled to decline as involving a submission to the Arbitrator of the claim advanced by Venezuela in 1844 to all territory up to the left bank of the Essequibo.

As the progress of settlement by British subjects made a decision of some kind absolutely necessary, and as the Venezuelan Government refused to come to any reasonable arrangement, Her Majesty's Government decided not to repeat the offer of concessions which had not been reciprocated, but to assert their undoubted right to the territory within the Schomburgk line, while still consenting to hold open for further negotiation, and even for arbitration, the unsettled lands between that line and what they considered to be the rightful boundary, as stated in the note to Señor Rojaz of the 10th January, 1880.

The execution of this decision was deferred for a time, owing to the return of Señor Guzman Blanco to London, and the desire of Lord Rosebery, then Secretary of State for Foreign Affairs, to settle all pending questions between the two Governments. Mr. Olney is mistaken in supposing that in 1886 "a Treaty was practically agreed upon containing a general arbitration clause, under which the parties might have submitted the boundary dispute to the decision of a third Power, or of several Powers in amity with both." It is true that General Guzman Blanco proposed that the Commercial Treaty between the two

countries should contain a clause of this nature, but it had reference to *future* disputes only. Her Majesty's Government have always insisted on a separate discussion of the frontier question, and have considered its settlement to be a necessary preliminary to other arrangements. Lord Rosebery's proposal made in July 1886 was "that the two Governments should agree to consider the territory lying between the boundary-lines respectively proposed in the 8th paragraph of Señor Rojás' note of the 21st February, 1881, and in Lord Granville's note of the 15th September, 1881, as the territory in dispute between the two countries, and that a boundary-line within the limits of this territory should be traced either by an Arbitrator or by a Joint Commission on the basis of an equal division of this territory, due regard being had to natural boundaries."

Señor Guzman Blanco replied declining the proposal, and repeating that arbitration, on the whole claim of Venezuela, was the only method of solution which he could suggest. This pretension is hardly less exorbitant than would be a refusal by Great Britain to agree to an arbitration on the boundary of British Columbia and Alaska, unless the United States would consent to bring into question one-half of the whole area of the latter territory. He shortly afterwards left England, and as there seemed no hope of arriving at an agreement by further discussions, the Schomburgk line was proclaimed as the irreducible boundary of the Colony in October 1886. It must be borne in mind that in taking this step Her Majesty's Government did not assert anything approaching their extreme claim, but confined themselves within the limits of what had as early as 1840 been suggested as a concession out of friendly regard and complaisance.

When Señor Guzman Blanco, having returned to Venezuela, announced his intention of erecting a lighthouse at Point Barima, the British Government expressed their readiness to permit this if he would enter into a formal written agreement that its erection would not be held to prejudice their claim to the site.

In the meanwhile, the Venezuelan Government had sent Commissioners into the territory to the east of the Schomburgk line, and on their return two notes were addressed to the British Minister at Caracas, dated respectively the 26th and 31st January, 1887, demanding the evacuation of the whole territory held by Great Britain from the mouth of the Orinoco to the Pomeroon River, and adding that should this not be done by the 20th February, and should the evacuation not be accompanied by the acceptance of arbitration as the means of deciding the pending frontier question, diplomatic relations would be broken off. In pursuance of this decision the British Representative at Caracas received his passports, and relations were declared by the Venezuelan Government to be suspended on the 21st February, 1887.

In December of that year, as a matter of precaution, and in order that the claims of Great Britain beyond the Schomburgk line might not be considered to have been abandoned, a notice was issued by the Governor of British Guiana formally reserving those claims. No steps have, however, at any time been taken by the British authorities to exercise jurisdiction beyond the Schomburgk line, nor to interfere with the proceedings of the Venezuelans in the territory outside of it, although, pending a settlement of the dispute, Great Britain cannot recognize those proceedings as valid, or as conferring any legitimate title.

The question has remained in this position ever since; the bases on which Her Majesty's Government were prepared to negotiate for its

settlement were clearly indicated to the Venezuelan Plenipotentiaries who were successively dispatched to London in 1890, 1891, and 1893 to negotiate for a renewal of diplomatic relations, but as on those occasions the only solutions which the Venezuelan Government professed themselves ready to accept would still have involved the submission to arbitration of the Venezuelan claim to a large portion of the British Colony, no progress has yet been made towards a settlement.

It will be seen from the preceding statement that the Government of Great Britain have from the first held the same view as to the extent of territory which they are entitled to claim as a matter of right. It comprised the coast line up to the River Amacura, and the whole basin of the Essequibo River and its tributaries. A portion of that claim, however, they have always been willing to waive altogether; in regard to another portion, they have been and continue to be perfectly ready to submit the question of their title to arbitration. As regards the rest, that which lies within the so-called Schomburgk line, they do not consider that the rights of Great Britain are open to question. Even within that line they have, on various occasions, offered to Venezuela considerable concessions as a matter of friendship and conciliation, and for the purpose of securing an amicable settlement of the dispute. If as time has gone on the concessions thus offered diminished in extent, and have now been withdrawn, this has been the necessary consequence of the gradual spread over the country of British settlements, which Her Majesty's Government cannot in justice to the inhabitants offer to surrender to foreign rule, and the justice of such withdrawal is amply borne out by the researches in the national archives of Holland and Spain, which have furnished further and more convincing evidence in support of the British claims.

The discrepancies in the frontiers assigned to the British colony in various maps published in England, and erroneously assumed to be founded on official information, are easily accounted for by the circumstances which I have mentioned. Her Majesty's Government cannot, of course, be responsible for such publications made without their authority.

Although the negotiations in 1890, 1891, and 1893 did not lead to any result, Her Majesty's Government have not abandoned the hope that they may be resumed with better success, and that when the internal politics of Venezuela are settled on a more durable basis than has lately appeared to be the case, her Government may be enabled to adopt a more moderate and conciliatory course in regard to this question than that of their predecessors. Her Majesty's Government are sincerely desirous of being on friendly relations with Venezuela, and certainly have no design to seize territory that properly belongs to her, or forcibly to extend sovereignty over any portion of her population.

They have, on the contrary, repeatedly expressed their readiness to submit to arbitration the conflicting claims of Great Britain and Venezuela to large tracts of territory which from their auriferous nature are known to be of almost untold value. But they can not consent to entertain, or to submit to the arbitration of another Power or of foreign jurists, however eminent, claims based on the extravagant pretensions of Spanish officials in the last century, and involving the transfer of large numbers of British subjects, who have for many years enjoyed the settled rule of a British Colony, to a nation of different race and language, whose political system is subject to frequent disturbance, and whose institutions as yet too often afford very inadequate protection to life and property. No issue of this description has ever been

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involved in the questions which Great Britain and the United States have consented to submit to arbitration, and Her Majesty's Government are convinced that in similar circumstances the Government of the United States would be equally firm in declining to entertain proposals of such a nature.

Your Excellency is authorized to state the substance of this despatch to Mr. Olney, and to leave him a copy of it if he should desire it.

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